

AGENDA ITEM NO. 5

LICENSING COMMITTEE

Date	15 JANUARY 2016
Title	Review of the Gambling Statement of Policy Document

1. PURPOSE/SUMMARY

For Members to approve the draft policy document for consultation with Responsible Authorities and others.

2. KEY ISSUES

- The existing Gambling Policy was written at a time of the transition of the Act when enforcement functions were given to Councils acting as the Licensing Authority.
- Transitional arrangements were in place to support the vast amount of changes that took place under the Gambling Act 2005 and have since been deleted.
- The Social Responsibility Code comes into effect on the 6th April 2016 and requires licensees to assess the local risks to the licensing objectives posed by their gambling operations at each of their premises and the need to have policies, procedures and control measures in place to mitigate those risks. Applicants wishing to make a variation to their existing licence will also be expected to undertake a local assessment when applying to vary the licence. Our policy document will be an integral part of the applicant's policies, procedures and control measures.
- Members will need to consider the merits of local area profiling for the Fenland district
- In determining its statement of policy, the licensing authority must give appropriate weight to the views of those it has consulted. Therefore, member's approval of the draft policy for consultation is sought.

3. RECOMMENDATION

- That Members approve the draft policy document under the Gambling Act 2005 as detailed within this report for a consultation period of no less than four weeks.
- That Members consider the merits of local area profiling for the Fenland district

	All Wards
Forward Plan Reference No. (if applicable)	Not applicable
Portfolio Holders	Cllr. David Oliver, member with responsibilities for licensing.

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Background Papers	The Gambling Act 2005 Gambling Commission Guidance to Local Authorities, 5 th Edition

1 BACKGROUND

- 1.1 The Gambling Act 2005 requires all licensing authorities to prepare and publish a statement of licensing principles that they propose to apply in exercising their functions under the Act, commonly known as a statement of policy, The statement of policy forms the licensing authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.
- 1.2 The statement of policy acts as the primary vehicle for setting out the licensing authority's approach to regulation having taken into account local circumstances.
- 1.3 The commission encourages licensing authorities to have a statement of policy that is genuinely reflective of local issues, local data, local risk and expectations that a licensing authority has of operators who either currently offer gambling facilities or wish to do so in the future.
- 1.4 The statement of policy can be reviewed and revised by the licensing authority at any time, but must be produced following consultation with those bodies and persons set out in the Act.
- 1.5 Licensing Authorities should ensure that the statement of policy balances the need for a degree of certainty on the part of gambling businesses with the need to remain responsible to emerging risks. It should be evidence led, based on the principles outlined in the Gambling Commission Guidance for Local Authorities and reviewed at least every three years.

2 LOCAL RISK ASSESSMENTS

- 2.1 The Commissions Licence Conditions and Codes of Practice (LCCP) formalise the need for operators to consider local risks.
- 2.2 The Social Responsibility Code (SR) requires all premises 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, they must take into account relevant matters identified in the licensing authority's statement of policy.
- 2.3 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:
 - When applying for a variation of a premises licence
 - To take account of significant changes in local circumstances, including those identified in a licensing authority's statement of policy

- When there are significant changes at a licensee's premises that may affect their mitigation of local risks.
- 2.4 The new SR provision is supplemented by an ordinary code provision that requires licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority, such as when they are inspecting a premises. Both provisions take effect from April 2016.

3 LOCAL AREA PROFILE

- 3.1 Completion of a local area profile is not a requirement on licensing authorities but there are significant benefits for both the licensing authority and operators, in having a better awareness of the local area and risk. Risk in this context includes potential and actual risks, thereby taking into account possible future emerging risks, rather than reflecting current risks only.
- 3.2 An important element of preparing a local area profile will be proactive engagement with responsible authorities as well as other organisations in the area that can give input to 'map' local risks in the area. These are likely to include public health, mental health, housing, education, community welfare groups and safety partnerships, and organisations such as Gamcare or equivalent local organisations.
- 3.3 It is for licensing authorities to determine whether to include a local area profile within the body of their statement of policy or separately. If included in the statement of policy, the licensing authority's view of local risks would be a consideration for local gambling regulation in the context of the Act. Licensing authorities may consider this is best achieved by making reference to the local area profile, so that it can be reviewed and updated without the need for full consultation.
- 3.4 Officers are aware of only one licensing authority who is actively engaged in local area profiling and that is Westminster City Council.

4 CONCLUSION

- That Members approve the draft policy document under the Gambling Act 2005 as detailed within this report for a consultation period of no less than four weeks.
- That Members consider the merits of local area profiling for the Fenland district.

Appendices:

Appendix A - Draft Gambling Statement of Policy

APPENDIX A

FENLAND DISTRICT COUNCIL

**DRAFT GAMBLING
LICENSING POLICY**

STATEMENT OF POLICY

Adopted – 2010

Approved by Full Council:

Effective from:

Comment [KW1]: Not to be confused with the icensing Act 2003 policy

FOREWORD

This Gambling Statement of Principles is produced by Fenland District Council under the 2005 Gambling Act and will be the basis for all gambling related licensing decisions taken by the Council as the Licensing Authority over the next three years commencing on 31st January 2016.

The new Act created a unified regulator for gambling in Great Britain called the Gambling Commission and also transferred all responsibilities for licensing gambling premises from the Licensing Justices to Licensing Authorities. These Authorities are responsible for issuing a number of different permits, as well as Temporary and Occasional Use Notices.

This Policy sets out how the Council, as the Licensing Authority, will seek to balance increased leisure opportunities with the protection that children, vulnerable people and communities need and expect.

The Council recognises how important this sector of the entertainment industry is within the district and well-run businesses will get the support of the Council. New gambling related developments that are well planned and can demonstrate initiatives that prevent gambling from being a source of crime and disorder, ensure that gambling is conducted in a fair and open way and protect people from being harmed or exploited by gambling are welcomed. However, the Council will not hesitate in dealing firmly where problems of gambling related crime and disorder exist.

This Policy will be kept under review and it will be amended when issues arise that make change necessary. The Council will seek through the licensing process and the decisions it takes, to make Fenland District Council a safe and welcoming place for both residents and visitors to enjoy.

FENLAND DISTRICT COUNCIL
GAMBLING STATEMENT OF POLICY

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PART A

1 INTRODUCTION

1.1 This draft—Gambling Statement of Licensing Principles Policy sets out the principles Fenland District Council, as the Licensing Authority under the Gambling Act 2005 (referred to in this document as ‘the Act’), proposes to apply in discharging its functions to license premises for gambling under the Act as well as:-

- designating the body responsible for advising the Authority on the protection of children from harm;
- determining whether or not a person is an “Interested Party”;
- exchanging information with the Gambling Commission and others; and
- Inspecting premises and instituting proceedings for offences under the Act.

2. THE LICENSING OBJECTIVES

2.1 In exercising most of its functions under the Act, Licensing Authorities must have regard to the Licensing Objectives as set out in Section 1 of the Act. The Licensing Objectives 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.

3. DESCRIPTION OF THE DISTRICT

3.1 The Fenland District Council is situated in the County of Cambridgeshire, which comprises five District and City Councils and one County Council. The District has a population of 87,500 (Cambridgeshire County Council Mid-Year Estimates, 2005) and covers an area of 54,547 hectares. The main centres of population are in the towns of Chatteris, March, Whittlesey and Wisbech. A map of the Fenland District is at Appendix 1.

Comment [KW2]: Review for change

Comment [KW3]: Review for change

4. RESPONSIBILITIES UNDER THE ACT

- 4.1 The Act has introduced a new licensing regime for commercial gambling, to be conducted by the Gambling Commission and by Licensing Authorities, depending on the matter to be licensed.
- 4.2 The Act establishes each District or Borough Council as the Licensing Authority whose responsibilities must be discharged by the Licensing Committee created under Section 6 of the Licensing Act 2003. Fenland District Council is the Licensing Authority for the Fenland District.
- 4.3 The Gambling Commission is responsible for issuing Operating and Personal licences to persons and organisations who:-
- operate a casino;
 - provide facilities for playing bingo or for pool betting;
 - [provide facilities for betting](#)
 - act as intermediaries for betting;
 - make gaming machines available for use in Adult Gaming Centres and Family Entertainment Centres;
 - manufacture, supply, install, adapt, maintain or repair gaming machines;
 - manufacture, supply, install or adapt gambling machine software; or
 - Promote a lottery.
- 4.4 The Licensing Authority is responsible for licensing premises in which gambling takes place. All types of gambling are covered, other than spread betting and the National Lottery. It is also responsible for issuing permits for premises with gaming machines and for receiving notices from operators wishing to use unlicensed premises for gambling on a temporary basis. It is also responsible for the registration of certain types of exempt Small Society Lotteries.
- 4.5 The Licensing Authority cannot become involved in the moral issues of gambling and must aim to permit the use of premises for gambling in so far as they think it is:-
- in accordance with any relevant codes of practice;

- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the Licensing Objectives, subject to the two bullet points above; and
- ~~Subject to the three bullet points above,~~ in accordance with the Licensing Authority's Gambling Statement of ~~Licensing Policy~~. Principles, subject to the three bullet points above.

Before the Licensing Authority can ~~consider~~determine an application for a Premises Licence, an Operating ~~and Personal~~ Licence, ~~or both,~~ must have been obtained from the Gambling Commission.

5. STATEMENT OF LICENSING POLICY

- 5.1 The Licensing Authority is required by the Act to publish a Gambling Statement of ~~Licensing of Principles~~Policy which contains the principles it proposes to apply when exercising ~~its~~their functions under the Act.
- 5.2 In this document this is referred to as 'the Policy'. This Policy must be published every three years. The Policy must also be reviewed from 'time to time' and any proposed amendments and/or additions must be subject to fresh consultation. The 'new' Policy must then be published.
- 5.3 This Policy takes effect on 31st January 2016

6 CONSULTATION

- 6.1 In producing this Policy, the Licensing Authority consulted widely before finalising and publishing it. In addition to the statutory consultees (at 6.2), the Council chose to consult with additional local groups and individuals.
- 6.2 The Act requires that the following parties are consulted by the Licensing Authority:-
- The chief officer of police for the authority's area;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 6.3 The other groups and people consulted:-

- Organisations, including faith groups, voluntary and community organisations working with children and young people and organisations working with people who are problem gamblers, medical practices or primary care trusts and the Citizen's Advice Bureau;
- Other tiers of local government;
- Businesses who are, or will be, holders of Premises Licences;
- Responsible Authorities under the Act.

6.4 Copies of the Policy were placed for inspection in the public libraries of the area as well as Fenland Hall and other Council offices for inspection during normal office hours.

6.5 The Licensing Authority's consultation took place between XXXX

Comment [KW4]: Update required

7 APPROVAL OF POLICY

7.1 This Policy was approved at a meeting of the full Council on XXXX and was published via the authority's website. Copies are available on request.

Comment [KW5]: Update required

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

8 DECLARATION

8.1 In producing the Policy the Licensing Authority declares that it has had regard to the Licensing Objectives, formal Guidance issued to Licensing Authorities and any responses from those consulted during the consultation process.

8.2 ~~The Council recognises its diverse responsibilities under equality legislation and will monitor the impact of these statutory duties through its various corporate schemes such as the Race Equality Scheme and the Disability Equality Scheme.~~

Comment [KW6]: Outdated statement

8.3 Appendices have been attached to this Statement providing further information and guidance that is intended only to assist readers and should not be interpreted as legal advice or as constituent of the Council's policy. Readers of this document are strongly advised to seek their own legal advice if they are unsure of the requirements of the Gambling Act 2005, or the guidance or regulations issued under the Act.

9 RESPONSIBLE AUTHORITIES

9.1 A full list of the Responsible Authorities designated under the Act and their contact details are given in Appendix xxx. It should be noted that under the Act, the Licensing Authority is designated as a Responsible Authority.

Comment [KW7]: Update required

9.2 The Licensing Authority is required to designate, in writing, a body that is competent to advise it about the protection of children from harm. In making this designation the following principles have been applied:-

- The competency of the body to advise the Licensing Authority;
- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- The need for the body to be answerable to democratically elected persons rather than any particular invested interest group etc.

9.3 In accordance with the Gambling Commission's Guidance to Local Authorities, the Licensing Authority will liaise with the Cambridgeshire Safeguarding and Standards Unit for the protection of children from harm.-.

Comment [DH8]: Are the LSCB aware of this?

Comment [KW9R8]: Yes - in line with GA guidance

10 INTERESTED PARTIES

10.1 Interested Parties can make representations about licensing applications or apply for a review of an existing licence.

10.2 In determining whether a person is an interested party, the Licensing Authority will apply the following principles. The first principle is that each case will be decided upon its own merits. The Licensing Authority will not apply a rigid rule to its decision making and will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities. 'Business interests' is given the widest possible interpretation and includes partnerships, charities, faith groups and medical practices.

Comment [DH10]: Does this mean members of the public can be classified as an interested party like with the licensing policy or is it "business interests only"

Comment [KW11R10]: The GA05 concept is in s 158, it includes both local residents and also those with business interests that might be affected. I have added more information for clarity.

~~An Interested Party is defined in the Act as follows:-~~

10.3 Section 158 of the Act defines interested parties. To accept a representation from an interested party, the licensing authority must take the view that the person:

~~'... a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises if, in the opinion of the 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 paragraphs (a) or (b).'~~

~~10.4 Licensing authorities will need to have regard to anything an interested party says about their status to make representations.~~

~~People Living close to the premises~~

~~10.5 There are a number of factors that the licensing authorities will take into account when determining whether a person 'lives sufficiently close to the premises'. These may include:~~

- ~~• The size of the premises~~
- ~~• The nature of the premises~~
- ~~• The distance of the premises from the location of the person making the representation~~
- ~~• The potential impact of the premises such as the number of customers, routes likely to be taken by those visiting the establishment~~
- ~~• the circumstances of the person who lives close to the premises. This is not the personal characteristics, but their interests which may be relevant to the distance from the premises.~~

~~10.6 Interested parties can be persons who are democratically elected, such as District and Parish Councillors and MPs, as persons representing individuals in the other categories. Other representatives might include bodies such as trade associations and trade unions, and residents' and tenants' associations. A school head or governor might act in representing the interests of pupils or parents and a community group might represent vulnerable people living near to the proposed premises.~~

~~—No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the Ward likely to be affected. Likewise, Parish Councils likely to be affected will be considered to be interested parties.~~

~~10.3 District Councillors who are members of the Licensing Committee will not qualify to act in this way.~~

10.7 ~~Save for democratically elected persons, licensing authorities should satisfy themselves on a case by case basis that a person does represent interested parties. Other than persons mentioned in 10.2 and 10.3, The~~ Licensing Authority will generally require some form of written confirmation that a person is authorised to represent an interested party.

40.5 ~~The Licensing Authority considers that the Trade Associations, Trade Unions and Residents' and Tenants' Associations qualify as "Interested Parties" where they can demonstrate that they represent persons in (a) or (b) above.~~

11 EXCHANGE OF INFORMATION

~~11.1 In its exchange of information with parties listed in Schedule 6 of the Act, the Licensing Authority will have regard to:-~~

- ~~• the provisions of the Act;~~
- ~~• the guidance issued by the Gambling Commission;~~
- ~~• Data Protection Act 1998;~~
- ~~• Human Rights Act 1998;~~
- ~~• Freedom of Information 2000;~~
- ~~• Environmental Information Regulations 2004;~~
- ~~• the Common Law Duty of Confidence;~~
- ~~• Electronic Communications Act 2000;~~
- ~~• Computer Misuse Act 1990;~~
- ~~• Criminal Procedure and Investigations Act 1996; and~~
- ~~• Crime and Disorder Act 1998.~~

~~11.2 Exchanges of information will be conducted in a timely and accurate fashion and confirmed in writing in all cases to form an audit trail. (Note: Written confirmation may include information in electronic form). An audit trail should include:-~~

- ~~• Record of data disclosed;~~

- ~~Project chronology; and~~

- ~~Notes of meetings with other partners and recent correspondence including phone calls.~~

Comment [KW12]: Too prescriptive- the GC may decide to make further updates which will impact the policy.

11.1 The Licensing Authority is required to include in the policy [a statement of how it intends to ~~in exercising exercise~~](#) 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 s~~Section 350 of the Act [allows licensing authorities to exchange information with the respect to the exchange of information between it and the](#) other persons [or bodies as](#) listed in Schedule 6(1) as:

- [A constable or police officer](#)
- [An enforcement officer](#)
- [A licensing authority](#)
- [HMRC](#)
- [The First Tier Tribunal](#)
- [The Secretary of State](#)

11.2 The principle that the Licensing Authority will apply 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. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.

12 PUBLIC REGISTER

12.1 The Licensing Authority is required to keep a public register and share information in it with the Gambling Commission and others. Regulations will prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a [fee](#).

Comment [DH13]: Do we need to state where the fee charge can be found....is it in our current fees and charges

13 COMPLIANCE AND ENFORCEMENT

13.1 In exercising its functions with regard to the inspection of premises and to instituting criminal proceedings in respect of offences specified, the Licensing Authority will endeavour to be:-

Comment [KW14R13]: Not in the policy. A link to fees will be provided on the webpage.

- Proportionate – Intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.

- Accountable – Authorities must be able to justify decisions and be subject to public scrutiny.
- Consistent – Rules and standards must be joined up and implemented fairly.
- Transparent – Enforcement should be open and regulations kept simple and user friendly.
- Targeted – Enforcement should be focused on the problems and minimise side effects.

13.2 The Licensing authority will have regard to the District Council's Prevention, Intervention and Enforcement (PIE) approach to enforcement.

13.3 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible, and adopt a risk based inspection programme.

13.4 The main enforcement and compliance role of the Licensing Authority in terms of the Act will be to ensure compliance with the Premises Licence and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operating and Personal Licences. Concerns about the manufacturer, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

13.5 ~~The Licensing Authority will keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of Local Authorities.~~

Comment [KW15]: Not relevant to GA2005

14 DELEGATION OF POWERS

14.1 The Council has agreed a scheme of delegation for discharging its functions under the Act. A summary of the types of delegation can be found in Appendix 3. xxx

Comment [DH16]: Is this section needed if stated in our constitution?

Comment [KW17R16]: Yes it is required in the policy document

PART B PREMISES LICENCES

15. GENERAL PRINCIPLES

15.1 Premises Licences will be subject to the permissions/restrictions set out in the Act as well as the specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is thought appropriate.

15.2 Licensing Authorities are required by the Act, in making decisions about Premises Licences, to aim to permit the use of premises for gambling so far as it thinks fit:-

- in accordance with any relevant codes of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- to be reasonably consistent with the Licensing Objectives, subject to the two bullet points above; and
- ~~subject to the three bullet points above,~~ in accordance with the Licensing Authority's Policy. [subject to the three bullet points above.](#)

15.3 Definition of Premises:

Premises are defined in the Act as "any place". It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises. It will always be a question of fact in each circumstance. The Gambling Commission does not, however, consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

15.4 Demand:

Demand is a commercial consideration and is not an issue for the Licensing Authority.

15.5 Location:

Location will only be material consideration in the context of the Licensing Objectives.

15.6 Duplication with other Regulatory Regimes:

Duplication with other statutory/regulatory regimes will be avoided where possible. This Authority will not consider whether a licence application is likely to be awarded Planning Permission or Building Control consent.

15.7 Licensing Objectives:

Premises Licences granted must be reasonably consistent with the Licensing Objectives. With regard to these Objectives, the following will be considered:-

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

Whilst the Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime, it will pay attention to the proposed location of gambling premises in terms of this licensing objective.

Where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and the need for conditions, such as the provision of door supervisors.

The Licensing Authority is aware that there is a distinction between disorder and nuisance and that the prevention of nuisance is not a Licensing Objective under the Act.

- **Ensuring that gambling is conducted in a fair and open way:**

The Gambling Commission does not generally expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way. The Licensing Authority notes that in relation to the licensing of tracks, its role will be different from other premises in that track operators will not necessarily have an Operating Licence. In those circumstances, the Premises Licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

- **Protecting children and other vulnerable persons from being harmed or exploited by gambling:**

In practice, the Objective of protecting children from being harmed or exploited by gambling often means preventing them from taking part in, or being in close proximity to, gambling.

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 above to participate in the activity named on the premises licence.

The Guidance also gives a list of factors which the 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?

The Licensing Authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

Comment [KW18]: Added for clarification

There is no definition of the term 'vulnerable person' in the Act, but this could include people who are gambling 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.

15.8 Conditions:

The Licensing Authority is aware that the mandatory and default conditions imposed by the Gambling Commission will normally be sufficient to regulate gambling premises. ~~In exceptional cases, w~~Where there are specific risks or problems associated with a particular premises, the authority may consider attaching individual conditions related to the licensing objectives.

Comment [KW19]: Does not need to be an exceptional case.

Any conditions attached to licences will be proportionate and be:-

- relevant to the need to make the proposed premises 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.

In addition, the Licensing Authority will examine how applicants propose to address the licensing objectives. In considering applications the Licensing Authority will particularly take into account the following:

- Proof of age schemes;

- CCTV;
- Door Supervisors;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices and signage;
- The training of staff to deal with suspect truants and vulnerable persons;
- Specific opening hours; and
- With particular regard to vulnerable persons, measures such as the use of self-barring schemes, provision of information, leaflets, helpline numbers for organisations such as GamCare.

This list is not exhaustive but indicative of examples.

15.9 Decisions upon individual conditions will be made on a case by case basis. Consideration will be given to using control measures, should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas, etc. Applicants will also be expected to offer their own suggestions as to the way in which the Licensing Objectives can be effectively met.

15.10 It is noted that there are conditions which the Licensing Authority cannot attach to Premises Licences. These are:-

- any conditions on the Premises Licence which make 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);
- conditions in relation to stakes, fees, and the winning of prizes.

15.11 Door Supervisors:

The Licensing Authority may consider whether there is a need for door supervisors in terms of the Licensing Objectives of protecting of children and vulnerable persons from being harmed or exploited by gambling and also in terms of preventing premises becoming a source of crime. As the Act has amended the

Security Industry Act 2001, door supervisors at casinos or bingo premises need not be licensed by the Security Industry Authority.

15.12 Credit:

Credit facilities are prohibited from being provided in casinos and bingo licensed premises. Cash machines (ATMs) may be installed in such premises but the Licensing Authority may apply conditions as to where they are sited.

15.13 Betting Machines: (See Appendix 4xxx for definition)

In relation to Casinos, Betting Premises and Tracks, the Licensing Authority can 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 or to a Casino Premises Licence (*where betting is permitted in the Casino*).

15.14 When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, among other things, shall take into account:-

- the size of the premises;
- the number of counter positions available for person to person transactions; and
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

15.15 In deciding whether to impose conditions to limit the number of betting machines, each application will be considered on its own merit and account will be taken of codes of practice or guidance issued under the Act.

16 PROVISIONAL STATEMENTS

16.1 ~~In light of the judgement in respect of an application for a Betting Premises Licence in respect of premises located in Southend-on-Sea, notwithstanding paragraphs 7.55, 7.56 and 7.57 of the Gambling Commission's Guidance to Licensing Authorities:- A Premises Licence under the Gambling Act 2005 may lawfully be granted in respect of premises that are not ready to be used for gambling, the premises being about to be or in the course of construction or alteration, and they being premises which the applicant has a right to occupy and in respect of which he/she holds an operating licence which authorises him/her to carry on the activity in respect of which the Premises Licence is sought.~~

Developers may wish to apply 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

Comment [KW20]: Updated text added.

for the applicant to hold an operating licence in order to apply for a provisional statement.

Section 204 of the Act provides for a person to make an application to the 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.

The process for considering an application for a provisional statement is the same as that for a premises licence application in that 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.

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.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The 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, the 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 the authority's opinion reflect a change in the operator's circumstances; or
- where the premises have 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.

17 REPRESENTATIONS AND REVIEWS

17.1 Representations and Applications for Review of Premises Licence may be made by responsible authorities and interested parties however, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis 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 the authority's statement of principles.

17.2 ~~The Licensing Authority can make a representation or apply for a review of the Premises Licence on the basis of any reason that it thinks is appropriate. For the purpose of exercising its discretion in these matters, the authority has designated the Council's Corporate Director (Central Services) & Monitoring Officer as being the proper person to act on its behalf.~~

Comment [KW21]: Clear guidance on decision process added in text above .and below

17.3 The Licensing Authority will decide if a representation or application for a review is to be carried out on the basis of whether or not the request is:

- Frivolous or vexatious.
- Will certainly not cause the authority to wish to revoke/suspend the Licence.
- Substantially the same as previous representations or requests for a review.
- In accordance with any relevant codes of practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Reasonably consistent with the licensing objectives.

[17.4 There is no appeal, other than by way of Judicial review, against the authority's determination of the relevance of an application for review.](#)

[17.5](#) The 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.

17.6 Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28 day consultation period. This period begins 7 days after the application was received the Licensing Authority, who will publish notice of the application with 7 days of receipt.

17.7 The Licensing Authority must carry out a review as soon as possible after the 28 day period for making representations has passed.

17.8 The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Sub-Committee are:-

- Add or remove or amend a licence condition imposed by the licensing authority;
- Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- Suspend the premises licence for a period not exceeding three months;
- And, revoke the premises licence.

17.9 In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

17.10 In particular, the 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.

17.11 Once the review has been completed, the 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.

18 ADULT GAMING CENTRES

18.1 An Adult Gaming Centre is defined in Appendix ~~xx~~. Entry to these premises is age restricted and no customer must be able to access the premises directly from any other licensed gambling premises.

Comment [KW22]: update

18.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

19 (LICENSED) FAMILY ENTERTAINMENT CENTRES

19.1 A Licensed Family Entertainment Centre is defined in Appendix xxx4. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use. No customer must be able to access the premises directly from:

- A casino
- An adult gaming centre or
- A betting premises, other than a track.

19.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

20 CASINOS

20.1 The Licensing Authority has not passed a resolution under section 166 of the Act not to issue casino premises licences. Any future decision to pass or not to pass a casino resolution will only be taken after a full consultation process has been undertaken with the area. The principal access entrance to the premises must be from a street; 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.

20.2 Casinos and Competitive Bidding:

The Licensing Authority is aware that where a Licensing Authority's area is enabled to grant a Premises Licence for a new style casino, there are likely to be a number of operators which will want to run a casino. In such situations the Council will run a competition in line with Regulations and Codes of Practice issued under the Act by the Secretary of State. It should be noted that at the time this Policy was adopted, this area had not been so enabled.

20.3 Betting Machines:

The Licensing Authority can 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 or to a Casino Premises Licence (*where betting is permitted in the casino*). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, amongst other things should take into account:-

- the size of the premises;
- the number of counter positions available for person to person transactions;
- and

Comment [KW23]: Update

- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

20.4 In deciding whether to impose conditions to limit the number of betting machines, each application will be on its own merits and account will be taken of Codes of Practice or Guidance issued under the Act.

20.5 **Credit:**

Credit facilities are prohibited in casinos; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

21 BINGO PREMISES

21.1 A Bingo premises is defined in Appendix 4-xxx. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use. No customer must be able to access the premises directly from;

Comment [KW24]: Update

- A casino
- An adult gaming centre; or
- A betting premises, other than a track.

21.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

21.3 **Credit:**

Credit facilities are prohibited in premises licensed for Bingo; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

22 BETTING PREMISES

22.1 Betting Premises are defined in Appendix 4-xxx.

Comment [KW25]: update

22.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

Access must be from a street or from another premise 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 and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

23 TRACKS

23.1 A Track is defined in Appendix 4.xxx. Entry to these premises is generally age restricted. On race days, specific areas within the track may be age restricted dependent on the licensable activities taking place.

Comment [KW26]: update

No customer should be able to access the premises directly from:

- A casino
- An adult gaming centre.

24 TRAVELLING FAIRS

24.1 The Licensing Authority will determine whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at a travelling fair is met, where Category D machines and/or equal chance prize gaming without a permit are to be made available for use.

Premises 'Ready for Gambling'

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

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 the premises, the 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.

Comment [KW27]: Clarification of the Act and Guidance

Location

The 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. This 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.

Local Area Profiling

The Social responsibility Code which comes into effect on the 6 April 2016 requires licensees to assess the local risks to the licensing objectives posed by their gambling operations at each of their premises and have policies, procedures and control measures to mitigate those risks. Additionally, applicants will have to undertake a local assessment when applying for a new or variation of a premises licence, to take account of significant changes in the local circumstances or when there are significant changes at the licensee's premises.

The Licensing Authority is aware that there is no mandatory requirement to have a local area profile but recognises that one may offer a number of benefits. Should evidence be obtained to identify local risk areas then these will be reflected in a separate document and made available from Fenland District Council and the Council's website.

Enquiries with relevant organisations have not yet revealed any data to suggest that there are any areas within the Fenland District that could be identified as a **risk**. (However, should the consultation reveal such data then this paragraph will be updated).

Comment [KW28]: Added to reflect impending legislation that comes into effect on 6 April 2016

**PART C
PERMITS/TEMPORARY OR OCCASIONAL USE
NOTICES/REGISTRATIONS**

25 GENERAL

~~25.1 Forms and Method of Application and any additional information or documents required for permits covered by this section are shown in Appendix 5.~~

Comment [KW29]: Online services available - paperless programme in flux therefore deleted in policy

26 UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS

26.1 Where a premise does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a 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.

26.2 Statement of Licensing Principles:

The Licensing Authority will expect the applicant to show that there are written 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 suitability of such policies and procedures will be considered on their merits, however, they may include:-

- A Disclosure & Barring Service check to ensure that the applicant has no relevant convictions. Where the applicant is a person who is the sole proprietor, the check will be against that person or where the applicant is a company, the check will be against the person who is normally in day to day control of the premises.
- Disclosure & Barring Service (DBS) checks for staff;
- Training covering how staff would deal with:-
 - unsupervised, very young children being on the premises; or
 - children causing perceived problems on/around the premises;
 - suspect truant children; and

- have a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres.

This list is not exhaustive but indicative of examples.

27 (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

- 27.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines, of Categories C and/or D. The Premises Licence holder needs to notify the Licensing Authority at least two months prior to the date of expiry of the current permit.
- 27.2 Gaming machines can only be located on licensed premises that have a bar for serving customers.
- 27.3 Premises restricted to selling alcohol only with food, will not be able to apply for a permit.
- 27.4 Where an application for more than two gaming machines is received, the 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 the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only machines. Measures will cover such issues as:-
- Adult machines being in sight of the bar;
 - Adult machines being in sight of staff who will monitor that the machines are not being used by those under 18;
 - Appropriate notices and signage; and
 - As regards the protection of vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information, and leaflets/helpline numbers for organisations such as GamCare.

This list is not exhaustive but indicative of examples.

The Licensing Authority can decide to grant an application with a smaller number of machines and/or a different category of machines than that applied for but conditions other than these cannot be attached.

28 PRIZE GAMING PERMITS

28.1 Where a premise does not hold a premises licence but wishes to provide prize gaming, an application for a prize gaming permit may be made to the Licensing Authority. The applicant must specify the nature of gaming for which the permit is sought and demonstrate that he or she understands the limits to stakes and prizes that are set out in Regulations and that the gaming offered is within the law.

28.2 Statement of Licensing Principles:

The Licensing Authority will expect the applicant to show that there are written 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 suitability of such policies and procedures will be considered on their merits, however, they may include:-

- A DBS check to ensure that the applicant has no relevant convictions. Where the applicant is a person who is the sole proprietor, the check will be against that person or where the applicant is a company, the check will be against the person who is normally in day to day control of the premises;
- DBS checks for staff;
- Training covering how staff would deal with:-
 - unsupervised, very young children being on the premises, or
 - children causing perceived problems on/around the premises; and
 - suspect truant children.

This list is not exhaustive but indicative of examples.

In making its decision on an application for a permit, the Licensing Authority does not need to have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.

29 CLUB GAMING AND CLUB MACHINE PERMITS

29.1 Members' clubs and miners' welfare institutes may apply for a Club Gaming Permit and/or a Club Gaming Machine Permit but are restricted by category and number of machines and to equal chance gaming and games of chance. Commercial clubs may only apply for a club machine permit.

29.2 A fast-track procedure is available for premises that hold a Club Premises Certificate under the Licensing Act 2003.

30 TEMPORARY USE NOTICES (TUN)

- 30.1 The persons designated to receive TUNs and to issue objections are specified in Appendix 4.
- 30.2 A TUN may only be granted to a person or company holding an operating licence relevant to the temporary use of the premises. Regulations [have been](#) issued by the Secretary of State prescribing the activities to be covered.
- 30.3 For the purpose of a TUN, a set of premises is the subject of a TUN if any part of the premises is the subject of the Notice. This prevents one large premise from having a TUN in effect for more than 21 days per year by giving a Notice in respect of different parts.
- 30.4 The definition of “a set of premises” will be a question of fact in the particular circumstances of each Notice that is given. In considering whether a place falls within the definition of “a set of premises” the Licensing Authority will consider, amongst other things, the ownership/occupation and control of the premises.
- 30.5 The Licensing Authority will object to Notices where it appears that the effect would be to permit regular gambling in a place that could be described as one set of premises.

31 OCCASIONAL USE NOTICES

- 31.1 Occasional Use Notices (OUNs), apply only to tracks, which are described as being premises on any part of which a race or other sporting events take place, or is intended to take place. Tracks need not be a permanent fixture.
- 31.2 OUNs are intended to permit licensed betting operators who have the appropriate permission of the Gambling Commission to use tracks for short periods for conducting betting. The OUN dispenses with the need for a Betting Premises Licence for the track.
- 31.3 The Licensing Authority has very little discretion as regards these Notices, aside from ensuring that a statutory limit of 8 days in a calendar year is not exceeded.
- 31.4 The Licensing Authority will, however, consider the definition of a track and whether the applicant is permitted to avail him/herself of the Notice.
- 31.5 The person designated to receive the OUNs and assess validity is specified in the scheme of delegation as shown at Appendix 4.

32 SMALL SOCIETY LOTTERIES

32.1 The definition of a Small Society Lottery is contained in Appendix 4 and these require registration with the Licensing Authority.

Comment [KW30]: update

The Licensing Authority will register and administer smaller non-commercial lotteries and applicants for [registration lottery licences](#) must apply to the licensing authority in the area where their principal office is located.

The Licensing Authority must be satisfied that the 'society' is established and conducted:

- for charitable purposes (as defined in S2 of the Charities Act 2006)
- for the purpose of enabling participation in, or of supporting, sport athletics or a cultural nature activity; or
- for any other non-commercial purpose other than private gain.

In determining whether the Society is non-commercial the Licensing Authority may require applicants to provide copies of the society's constitution or terms of reference.

For new applications or change of promoter, the Licensing Authority shall require the promoter of the lottery to produce a statement declaring that they have no relevant convictions that would prevent them from running a lottery. A list of 'relevant' offences is listed at Schedule 7 of the Act.

The Licensing Authority may refuse an application for registration if in their opinion:

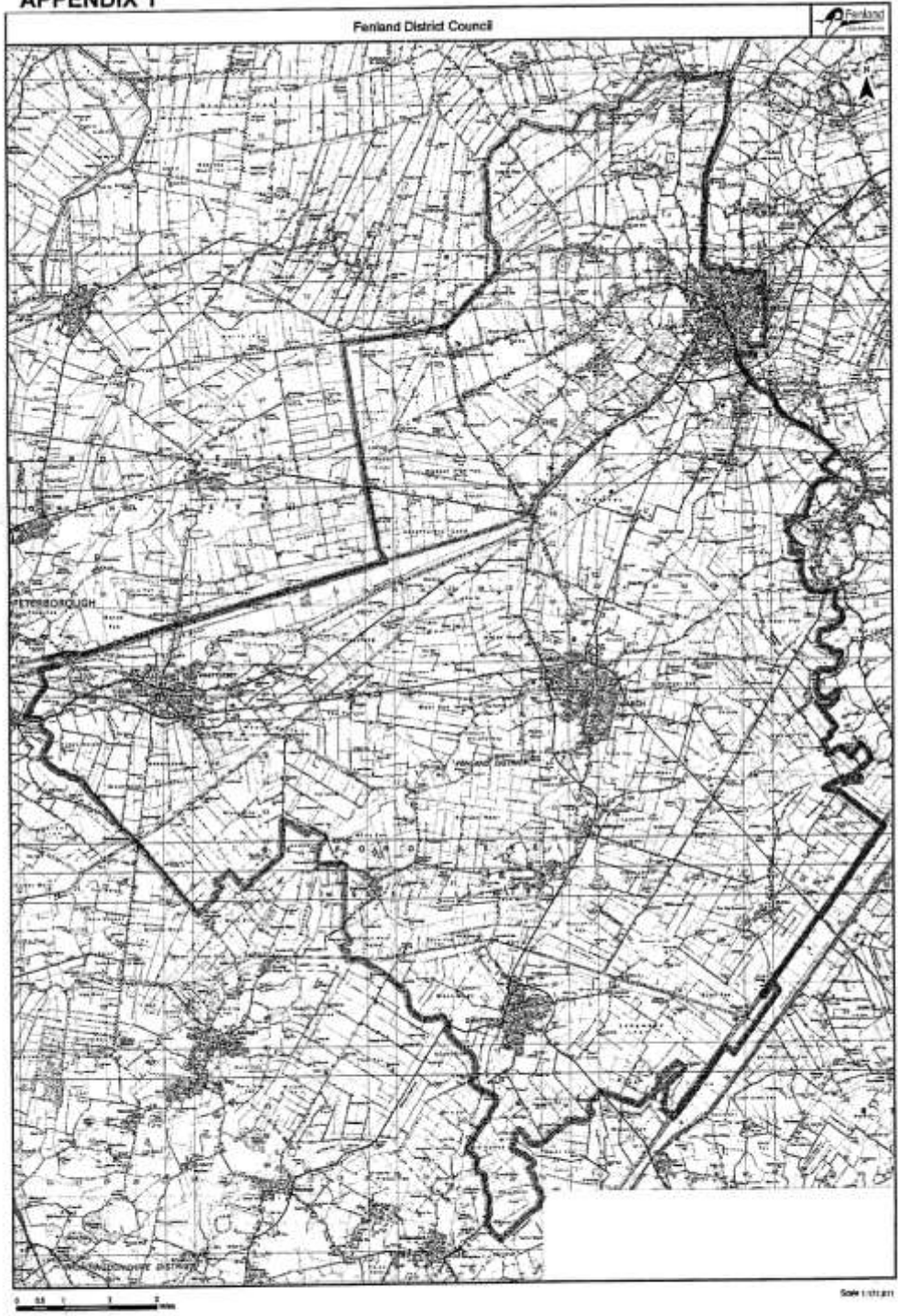
- the applicant is not a non-commercial society
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- information provided in or with the application for registration is false or misleading.

Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration. It will also supply evidence on which it has reached that preliminary conclusion.

The Licensing Authority may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to; refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion..

Comment [KW31]: Clarification of process and procedure.

APPENDIX 1



APPENDIX 2

GAMBLING ACT 2005
RESPONSIBLE AUTHORITIES' CONTACT DETAILS

THE LICENSING AUTHORITY:

Licensing Team:

The Licensing Team
Fenland District Council
Fenland Hall
County Road
March
PE15 8NQ
Telephone: 01354 654321
Email: licensing@fenland.gov.uk

THE RESPONSIBLE AUTHORITIES:

The Gambling Commission:

Victoria Square House
Victoria Square
Birmingham B2 4BP
Tel: 0121 230 6500
Fax: 0121 237 2236
Email: info@gamblingcommission.gov.uk

Cambridgeshire Constabulary:

The Chief Officer of Police

March Police Station
City Road
March
Cambridgeshire
PE15
Cambridgeshire Constabulary
Huntingdon Police Station
Hinchingsbrooke Park
Huntingdon
PE29 6NP
Telephone: 01480 456111

Cambridgeshire Fire and Rescue: Cambridgeshire Fire and Rescue Service
Chief Fire Officer
Hinchingsbrooke Cottage
Brampton Road
Huntingdon
PE29 2NA
Telephone: 01480 444500

Environmental Services – Pollution: Environmental Protection Manager
Fenland District Council
Fenland Hall
County Road
March
Cambs
PE15 8NQ
Telephone: 01354 654321

Health and Safety: Environmental Manager
Fenland District Council
Fenland Hall
County Road
March
Cambs
PE15 8NQ
Telephone: 01354 654321

Planning: Planning Manager
Fenland District Council
Fenland Hall
County Road
March
Cambs
PE15 8NQ
Telephone: 01354 654321

Safeguarding Children’s Board: [Safeguarding & Standards Unit](#)
[Licence applications](#)
[PO Box 144](#)
[St Ives](#)
[Cambridgeshire](#)
[PE27 9AU](#)
[Telephone: 01223 706380](#)
[Email:](#)
ReferralCentre.Children@cambridgeshire.gov.uk
[FAO: Joanne Little](#)

LSCB Administrator
7 The Meadows
Meadows Lane
St Ives
Cambs
PE27 4LG
Telephone: 01480 376699

Comment [KW32]: SASU Unit contact to be added.

For vessels carrying more than 12 passengers the Certifying Authority will be:-

Maritime & Coastguard Agency
Surveyor In Charge
Harwich Marine Office
East Terrace
Walton-on-Naze
Essex
CO14 8PY
Telephone: 01255 682107

For Vessels carrying 12 or less passengers the Certifying Authority will be:-

Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR
Telephone: 01733 464277

HM Revenue and Customs:

National Registration Unit
Portcullis House
21 India House
Glasgow
G2 4PZ

APPENDIX 3

Summary of Licensing Authority delegations permitted under the Gambling Act 2005.

Matter to be dealt with	Full Council	Sub-committee of Licensing Committee	Officers
Final approval of three year licensing policy	✓		
Policy not to permit casinos	✓		
Fee setting (when appropriate)			✓
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 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		✓	
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			
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give counter notice to temporary use notice		✓	

DRAFT

APPENDIX 4 - DEFINITIONS

ADULT GAMING CENTRE

An Adult Gaming Centre Premises Licence issued by the Licensing Authority will authorise gaming machines of either Category B, C or D in the following numbers:

- 1 A maximum of 20% of the total number of gaming machines which are available for use on the premises - Category B3 or B4 machines
- 2 ~~An unlimited number~~ No limit on Category C and D machines.

AUTHORISED LOCAL AUTHORITY OFFICER

A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that Authority's area.

BETTING MACHINES

A betting machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make such machines available to accept bets as a substitute for placing a bet over the counter. These machines are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines nor have to comply with any stake or prize limits. However, if a machine is made available to take bets on virtual races i.e. images generated by computer to resemble races or other events, that machine is a gaming machine and does count towards the maximum permitted number of such machines.

Section 181 contains a power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are being made available by attaching a licence condition to a betting premises licence or to a casino premises licence where betting is permitted in the casino. When considering whether to impose such a condition the Licensing Authority, amongst other things, should consider the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of machines by anyone under 18 years of age or by vulnerable people.

BETTING PREMISES

The legislation contains a single type of licence for betting premises. However, within this single class of licence there will be different types of premises which require licensing. One type will be off course betting i.e. the betting shop. The other sort of licensing will be betting at a track i.e. a racecourse. There is a separate type of premises licence for betting on tracks. It will also be possible for there to be premises licence for betting offices on tracks.

The Act also permits betting intermediary to operate from premises, although they usually offer their services via remote communication such as the internet. There is nothing to stop a betting intermediary applying for a betting premises licence to offer intermediary services on the premises.

No one under 18 will be able to enter premises with a betting premises licence although special rules apply to track betting.

Betting will be permitted as part of a casino premises licence and they will not require a separate betting premises licence. However, they will need to obtain a betting operating licence which can be combined with their casino licence.

The holder of a betting premises licence may make available up to 4 gaming machines of category B, C or D. The category B machines will be restricted to B2, B3 and B4

BINGO PREMISES

Bingo is currently categorised as “equal chance gaming” and is regarded widely as soft gaming. It is played in a variety of circumstances depending on where it takes place, for example as a commercial enterprise in a licensed bingo club for cash prizes, or as a prize bingo in amusement arcades, or on a non-commercial basis with low stakes and prizes in clubs, pubs and other institutes. Variations of club based include linked bingo where two or more clubs play a joint game using pooled stakes and multiple bingo, often known as the National Game, played across the country for large prizes. Clubs also offer machine gaming which is largely played during intervals between bingo games.

Commercial Bingo Clubs

- ❖ There should be no statutory limits on the stakes and prizes in bingo games;
- ❖ There should be no restriction on the frequency of multiple bingo games;
- ❖ Any new games should be approved by the Gambling Commission; and
- ❖ Rollovers should be permitted.

Bingo in Pubs and Clubs

- ❖ Where pubs or clubs offer prizes in equal chance games such as bingo above £24000 per week, they should be regulated by the Gambling Commission in the same way as commercial bingo.

~~Bingo in Casinos~~

~~Casinos will also be able to run bingo games~~

~~In addition the Government announced that:~~

- ~~❖ the distinction between cash and prize bingo in bingo clubs would be abolished so that all games could be played under the same regulations and control; and~~

Comment [KW33]: Not relevant to Finland

~~❖ where cash bingo was played in arcades £25 would remain the top prize, but the £90 stake for a single game would be abolished.~~

~~Other controls such as a requirement for membership and the 24-hour rule before a player can take part in a game will be abolished.~~

CASINO

An arrangement whereby people are given an opportunity to participate in one or more casino games.

CASINO RESOLUTION

Resolution not to issue Casino Premises Licences.

CHILD

Individual who is less than 16 years old.

CLUB GAMING MACHINE PERMIT

Permit to enable the premises to provide gaming machines (3 machines of Categories B, C or D).

CONDITIONS

Conditions to be attached to licences by way of:-

- Automatic provision
- Regulations provided by Secretary of State
- Conditions provided by Gambling Commission
- Conditions provided by 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.

DEFAULT CONDITIONS

Conditions that will apply unless the Licensing Authority decides 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.

EQUAL CHANCE GAMING

Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.

EXEMPT LOTTERIES

Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are four types:-

- 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.

FAMILY ENTERTAINMENT CENTRE (LICENSED)

A family entertainment centre is defined as premises (other than an adult gaming centre) wholly or namely used for making gaming machines available for use.

It will be necessary to obtain a Gaming Machine General Licence from the Gambling Commission.

A family entertainment centre Premises Licence issued by the Licensing Authority will authorise gaming machines to be provided as follows:

- 1 An unlimited number of Category C and D machines
- 2 Category C machines to be located in an adult only area.

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

Machine covering all types of gambling activity, including betting on virtual events.

Categories

Category	Max. Stake	Max. Prize
A	Unlimited	Unlimited – no category A currently permitted
B1	£5	£10,000
B2	£100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D non-money prize	30p-	£8
D non-money prize (crane grab machines only)	£1	£50
D combined money And non-money prize 10p		£8 (of which no more than £5 may be a money prize)
D combined money and non-money prize (coin pusher or penny falls machines only)	20p	£20 (of which no more than £10 may be a money prize)

~~*when monetary prize only~~

**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.

INCIDENTAL NON COMMERCIAL LOTTERY

A lottery promoted wholly for purposes other than private game, and which are incidental to non commercial events (commonly charity fundraising events, lottery held at a school fete or at a social event such as a dinner dance).

EXCHANGE OF INFORMATION

Exchanging of information with other regulatory bodies under the Gambling Act.

INTERESTED PARTY

A person who:-

- 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

LICENSING OBJECTIVES

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

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:

- 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 for 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.

MEMBERS' CLUB

A club that must:

- Have a least 25 members
- Be established and conducted 'wholly or mainly' for purposes other than gaming
- Be permanent in nature
- Not be established to make commercial profit
- Be controlled by its members equally.

OCCASIONAL USE NOTICES

Betting may be permitted on a 'track' without the need for a full Premises Licence.

Where there is betting on a track on 8 days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Occasional use notices cannot be used on more than 8 days in a calendar year i.e. the year starting on the 1 January and ending on 31 December.

The notice for an occasional use must be served on the licensing authority and the police. Notices can be given for a continuous period of 8 days.

OFF COURSE BETTING

Betting that takes place other than at a track, i.e. at a Licensed Betting Shop

OPERATING LICENCE

Licence to permit individuals and companies to provide facilities for certain types of gambling. It 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. Cannot be held by companies.

PREMISES

Defined as 'any place'. It is for the 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, Adult Gaming Centres and Family Entertainment Centres.

PRIVATE LOTTERIES

There are three types of Private Lotteries:

1. Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society.
2. Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises.
3. 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 the Licensing Authority in respect of premises that he:

- Expects to be constructed

- Expects to be altered
- Expects to acquire a right to occupy

RELEVANT REPRESENTATIONS

Representations that relate to the Gambling Licensing Objectives, or that raise issues under the Licensing Policy 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:

- The Licensing Authority in whose area the premises is partly or wholly situated
- The Gambling Commission
- The Chief Officer of Police
- Fire and Rescue Service
- The Planning Authority for the local authority area
- Environmental Health Service for the local authority area
- The Body competent to advise on the protection of children from harm
- HM Revenue and Customs
- Authority in relation to vulnerable adults
- Vessel only – the Navigation Authority whose statutory functions are in relation to waters where the vessel is usually moored or berthed, i.e. the Environment Agency, British Waterways Board, the Maritime and Coastguard Agency.

SMALL LOTTERIES

~~The Lotteries and Amusements Act 1976 makes all lotteries that are not gaming illegal, subject to a limited number of exceptions. These relate either to private lotteries or to societies or local authority lotteries where money goes towards good causes or, in the case of local authority lotteries, to a scheme approved by the authority. Lotteries are not defined by the Act, but the courts have ruled a lottery is a 'distribution of prizes by chance where the persons taking part, or a substantial number of them, make a payment or consideration in return for obtaining their chance of a prize.' Lottery tickets cannot be sold by means of a machine.~~

~~Small lotteries are one-off events with prizes up to the value of £250 (non-money prizes can be of any value) and do not need to register with any statutory body. They are usually run at events such as bazaars and fetes. Private lotteries are 'not for profit' lotteries, which may be run within a residential environment, workplace or club. They also do not need to register. Society lotteries have to register either with the Gaming Board or the local authority depending on the level of their ticket sales and submit returns for each of the lotteries that they run. Local Authority lotteries have to register with the Gaming Board.~~

~~Some charities use external lottery managers to conduct their lotteries for them. The Gaming Board must register a person who wishes to act in the capacity.~~

~~When licensing authorities are approached by societies who want to register with them to operate lotteries, they are required to refer to the Act's definition of a small society lottery, which falls into two distinct areas:~~

- ~~Society status – the society in question must be 'non-commercial'~~

Comment [KW34]: Outdated information

- Lottery size – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

TEMPORARY USE NOTICE

Licensing Authorities may issue Temporary Use Notices to allow gambling activities to take place for limited periods in otherwise unlicensed premises. Only the holder of an Operating Licence may apply for a Temporary Use Notice. The same premises may not be the subject of a Temporary Use Notice for more than 21 days in any period of 12 months. However, provided that the aggregate period does not exceed that limit, it is possible to apply for more than one Temporary Use Notice during that period.

TRACK BETTING

Tracks are sites, including horse racecourses and dog tracks where races or other sporting events take place e.g. football grounds and cricket grounds. Betting is a major activity on the tracks, both in the form of pool betting (often known as the “tote”) and also general betting known as fixed odds betting.

There is no separate class of betting premises licence for a track. However, in relation to tracks betting is divided into “on course” and “off course.”

The “on course” betting operator is one who comes on to the track, temporarily, while races are taking place and operates at the trackside.

“Off course” betting operators may, in addition to premises away from the track, operate self-contained betting premises within the track premises. Such self-contained premises provide facilities for off course betting e.g. on other events not just those taking place on the track.

In addition pool betting can take place on the tracks, but only on certain types of track and the people who may run it are limited.

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, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted.

VULNERABLE PERSONS

No set definition, but likely to mean group to include people who:

- Gamble more than they want to
- Gamble beyond their means

- 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.

DRAFT

APPENDIX 5

TEMPORARY USE NOTICES

The organisations designated to receive TUNs and to issue objections are:-

- The Licensing Authority
- The Gambling Commission
- Cambridgeshire Police
- HM Commission for Revenues and Customs

- If applicable, any other Licensing Authority in whose area the premises are situated (if the premises crosses the border between two Licensing Authority's areas).

DRAFT

APPLICATION PROCESS

This guidance covers those aspects that are the responsibility of the Licensing Authority only; guidance on aspects dealt with by the Gambling Commission can be obtained via the following link: - www.gamblingcommission.gov.uk

PREMISES LICENCES

A Premises Licence is required for any premises where gambling activity is carried out of a type requiring Personal and Operators' Licences to have been issued by the Gambling Commission.

An application may only be made by persons having the right to occupy the premises and who have, or have applied for, an Operating Licence allowing the proposed activities to be carried out. The Premises Licence cannot be granted until the necessary Operator's Licence has been issued. **APPENDIX 6**

Premises Licences are issued by the Licensing Authority and are required for Casinos, Bingo premises, Betting premises (including tracks and premises used by betting intermediaries) Adult Gaming Centres and Family Entertainment Centres providing category C gaming machines.

A licence is restricted to one premise only. However one set of premises may have separate licences issued in respect of different parts of the building.

Licensing Authorities are obliged to grant an application for a Premises Licence, provided the application is made in accordance with the Act, the Gambling Commission's guidance and the Licensing Authority's Gambling Licensing Policy Statement. Licences will be subject to mandatory and default conditions applied by regulations issued under the Act.

Premises Licences are valid indefinitely from the date of grant unless previously surrendered, lapsed, renewed or cancelled. An annual charge is payable to the Licensing Authority.

BINGO, BETTING, ARCADES (Adult Gaming Centres & Licensed Family Entertainment Centres)

New Licences or Permissions

Applicants wishing to commence operating on or after 1 September 2007 may apply from 1 January 2007 to the Gambling Commission for an Operator's Licence and from 31 January 2007 to the Licensing Authority for a Premises Licence.

TRACKS

An Operator's Licence is not required from the Gambling Commission to operate a track but a Premises Licence from the Licensing Authority is required. A number of Premises Licences may be granted for one track, provided each is for a different part of the track.

Betting is usually divided into on-course, off-course and pool betting, the provision of which requires operators to hold either a general Betting Operator's Licence or a Pool Betting Operating Licence from the Commission.

Pool betting on tracks may only be offered by the Tote (in relation to horse tracks) and by the Premises licenceholder (in relation to dog tracks). Pool betting may not be provided elsewhere.

Gaming machines, consisting of a maximum of 4 machines of categories B2 – D, may be operated at a track by the Premises licenceholder provided they hold a Pool Betting Operator's Licence (for siting and other special considerations in respect of gaming machines at tracks, see 'the Gambling Commission's guidance' at www.gamblingcommission.gov.uk).

Betting machines may also be operated at tracks (see 'Betting machines').

The licensing process is the same as for other premises described above.

BETTING MACHINES

Betting machines are used for accepting bets on live events such as racing, in place of making bets at a counter, e.g. in a betting shop or on a track. These machines are not classed as gaming machines. The Licensing Authority may impose a limit on the number of betting machines that may be used in conjunction with a premise's licence.

GAMING MACHINE SUPPLY & REPAIR

These activities require Operators' Licences to be issued by the Gambling Commission. For advice on applying for licences from the Commission, see their website at www.gamblingcommission.gov.uk.

GAMING MACHINES IN LICENSED PREMISES

Premises Licences issued under the Act automatically authorise the provision of gaming machines, according to the type of premises and gambling activities permitted (but see also 'Tracks').

The Act introduces new classes of gaming machines, as shown in figure 1 below. The category and number of machines that may be operated under a Premises Licence are shown in figure 2 below.

Fig. 1

Category of machine	Maximum Stake £	Maximum Prize £
A	Unlimited	Unlimited
B1	2	4000
B2	400	500
B3	1	500
B4	1	250
C	.50p	35
D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize

Fig. 2

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, within the total limit of 150 (subject to 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, within the total limit of 80 (subject to table ratio)					
Pre-2005 Act casinos (no machine/ table ratio)		Maximum of 20 machines categories B to D or C or D machines instead					
Betting premises and tracks occupied by Pool Betting		Maximum of 4 machines categories B2 to D					
Bingo Premises				Maximum of 8 category B3 or B4 machines	No limit on category C or D machines		
Adult gaming centre				Maximum of 4 category B3 or B4 machines	No limit on category C or D machines		
Family entertainment centre (with premises licence)						No limit on category C or D machines	

TEMPORARY USE NOTICES (TUN's)

A TUN may only be issued by a person or company holding an Operating Licence relevant to the proposed temporary use of the premises and may be issued in respect of a 'set of premises' for a maximum of 21 days in any 12 month period. (NB. A TUN may not be issued in respect of a vehicle).

A 'set of premises' is the subject of a TUN if any part of the premises is the subject of the notice. This prevents one large premise from having a TUN in effect for more than 21 days per year by giving a notice in respect to different parts.

In considering whether a place falls within the definition of 'a set of premises', the Licensing Authority will consider, amongst other things, the ownership/ occupation and control of the premises.

The Licensing Authority will generally aim to permit gambling activities under a TUN but will 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.

Issue

Not less than 3 months and 1 day prior to the day on the the gambling event is to take place, a TUN must be given to:-

- the Licensing Authority
 - the Chief Officer of Police
 - HM Commissioners for Revenue and Customs
- and, if applicable,-
- any other Licensing Authority in whose area the premises are situated

The notice must include details of:-

- the date the notice is given
- the gambling activity to be carried on
- the premises where it will take place
- the dates and times it will take place
- any periods during the preceding 12 months that a TUN has had effect for the same premises, and
- any other information prescribed by Regulations

If there are no objections, the notice will be endorsed by the Licensing Authority and returned to the issuer for display upon the premises at the time the activity takes place.

Objections

Having regard to the Licensing Objectives, those Authorities upon whom the TUN is served may make objections to the gambling activity taking place within 14 days of the date of the notice. Objections must be made to the Licensing Authority and TUN issuer.

Modifications to the notice may be suggested by those objecting to it. If accepted by the issuer, a new notice must be issued. It should be noted that the 3 month, 1 day time limit and a new fee will not apply to the new notice, nor may the original objector[s] object to the new notice.

A Hearing must be held before the Premises/Personal Licences Sub-Committee to hear representations from all parties, unless agreement is reached that a Hearing is unnecessary [e.g. by modification of the notice] within 6 weeks of the date of the notice.

Following a Hearing the Licensing Authority must issue a counter notice setting out whether or not the TUN will have effect, any limitations to the activities permitted, the time period when activities may take place and any conditions that are imposed.

OCCASIONAL USE NOTICES (OUN'S)

Occasional Use Notices may only be issued in relation to tracks that are used on eight days or less in a calendar year.

A track can be any part of premises on which a race or other sporting event takes place or is intended to take place. Tracks need not be a permanent fixture.

OUN's are intended to permit licensed betting operators who have the appropriate permission of the Gambling Commission to use tracks for short periods for conducting betting. An OUN dispenses with the need for a Betting Premises Licence for the track.

Issue

The notice may be issued by the person responsible for the administration of events on the track or the occupier of the track. ~~The notice must be served on the Licensing Authority and a copy on the Chief Officer of Police.~~

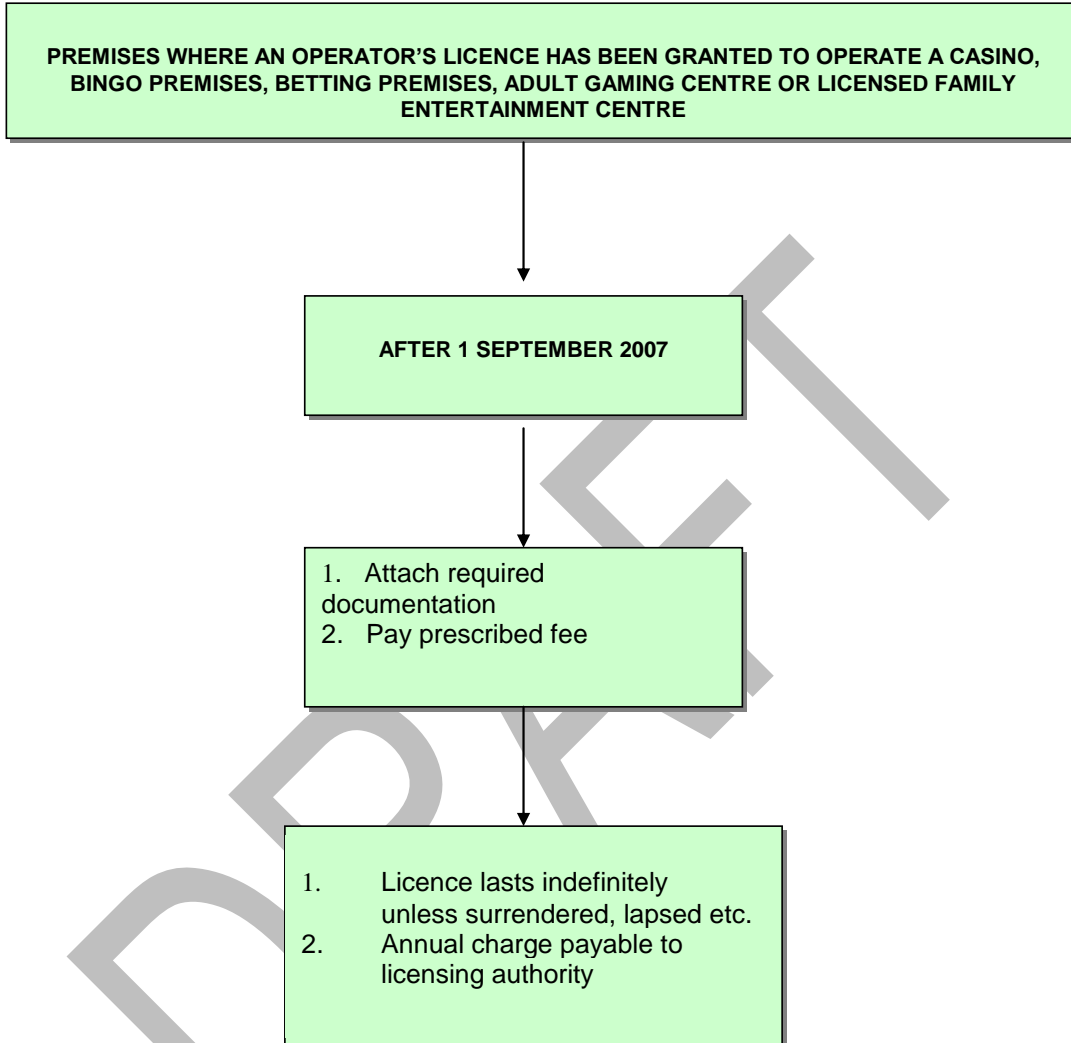
Objections

Generally objections may not be made to the issue of an OUN, except the Licensing Authority must issue a counter notice where the effect of the OUN would result in betting facilities being made available for more than 8 days in a calendar year.

DRAFT

Comment [KW35]: Appendix 6 covered the transition period of the Act and outlines application processes that may prove to be a moving feast. Website details will point applicants to the right information.

PREMISES LICENCES



Comment [KW36]: Transitional information

GAMING PERMITS

Certain types of gambling are authorised by permits issued by the Licensing Authority. The permits generally authorise low stake gambling for small prizes by: –

- Gaming machines in alcohol-licensed premises, Members' Clubs, unlicensed Family Entertainment Centres (FEC's) and certain other premises, e.g. taxi offices (see 'Other premises' below)
- Equal chance gaming, games of chance and gaming machines in Members' Clubs, and
- Prize gaming, e.g. at Travelling Fairs.

Comment [KW37]: Information will be available on council webpages

GAMING MACHINES

The Act introduces new classes of gaming machines that may be operated under a permit, as shown in figure 3 below.

Fig. 3

Category of machine	Maximum Stake £	Maximum Prize £
B4	1	250
C	50p	35
D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize

The category and number of machines that may be operated under a premise's licence are shown in Figure 2 above.

Fig. 4

Premises Type	Machine category							
	A	B1	B2	B3	B3(A)	B4	C	D
Clubs or Miners' Welfare Institutes with permits					Maximum of 3 category B3(A) to D machines			
Qualifying alcohol-licensed premises upon notification							Automatic entitlement of 1 or 2 category C or D machines	
Qualifying alcohol-licensed premises with gaming machine permit							Unlimited entitlement of 1 or 2 category C or D machines	
Family Entertainment Centre (with permit)								Unlimited category D machines
Travelling Fair								Unlimited category D machines

ALCOHOL-LICENSED PREMISES

Certain types of gambling may take place on alcohol-licensed premises under the Licensing Act 2003 without any authorisation being required. Generally these consist of the playing of cribbage, dominoes and other games for low stakes.

Premises holding a Premises Licence may be authorised to operate machines of Class C or D provided the Premises Licence authorises the sale and supply of alcohol for consumption on the premises without it being a condition that the sale and supply of alcohol has to be accompanied by food.

The following paragraphs apply only to those premises.

Automatic Entitlement

The Act gives an automatic entitlement for the holder of a Premises Licence under the 2003 Act to provide up to two gaming machines on their premises.

An application for a permit is not required but Premises Licenceholders must notify their Licensing Authority in writing of their intention to provide the machines and pay the prescribed fee.

The entitlement may be withdrawn if:-

- provision of the machines is not reasonably consistent with the pursuit of the Licensing Objectives
- gaming has taken place on the premises that has breached a condition of the Act, e.g. they do not comply with siting and operation requirements
- the premises are mainly used for gaming; or where an offence under the Gambling Act 2005 has been committed on the premises

The Licensing Authority may not exercise their powers to remove the entitlement without first giving the permit-holder the opportunity to make written or oral representations or both. A Hearing will be held before the Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

New permits

Where the holder of a Premises Licence wishes to provide more than two gaming machines, an application for a permit must be made to the Licensing Authority with the prescribed fee. There is no restriction on the number of machines that may be applied for and applications to vary the number of machines may be made at any time.

In determining an application for an increase in the number of machines, the Licensing Authority will consider:-

- the size of the premises
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons
- any documentary evidence [e.g. supporting statistical evidence providing details of usage, etc.]
- each application on its own merits
- the Codes of Practice or Guidance issued under the Gambling Act 2005

Where the Authority grants the application, a permit will be issued for the number of machines authorised, which will include the automatic entitlement of 2 machines.

Where the Authority intends to refuse an application, or grant it for a different number or category of machines to that requested, the applicant will be given the opportunity to make written or oral representations or both. A Hearing will be held before the Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

Where the Premises Licence is transferred, the gaming machine permit must also be transferred or it will lapse. In all other cases the permit will last indefinitely, unless surrendered or revoked.

Although the permit will not need to be renewed, an annual charge will have to be paid to the Licensing Authority.

Transitional Arrangements

A permit issued under section 34 that is in force on 1 September 2007 will continue to have effect until its natural expiry date.

Where a 'section 34 permit' for 2 or less machines expires after 1 September 2007, at least 2 months before its expiry the Premises Licenceholder must notify the Licensing Authority in writing of their intention to provide 2 (or less) machines and pay the prescribed fee.

Where a 'section 34 permit' for more than 2 machines expires after 1 September 2007, the Premises Licenceholder must apply for a new permit at least 2 months before its expiry and pay the prescribed fee. A new permit must be issued for the same number of machines the previous permit authorised.

MEMBERS' CLUBS

The Act permits a Members' Club holding a Club Premises Certificate issued under the Licensing Act 2003, or Miners' Welfare Institute, to hold a **Club Gaming Permit** allowing participation in equal chance gaming or playing games of chance (see Annex C for definitions of 'equal chance gaming' and 'games of chance'). In addition they may operate a maximum of 3 machines of either Class B3(A), B4, C or D.

The Act also permits a Members' Club holding a Club Premises Certificate or a Commercial Club holding a Premises Licence under the Licensing Act 2003 to operate a maximum of 3 machines of either Class B3(A), B4, C or D under a **Club Machine Permit**.

New Permits

Applications for a permit for premises already holding a Club Premises Certificate are subject to a 'fast track' procedure that prevents the making of objections, and restricts the ability of the Licensing Authority to refuse the application.

An application under this process may be refused if the club is established primarily for gaming (other than that permitted); if, in addition to the permitted gaming, facilities are provided for other gaming; or that a club machine permit issued to the applicant within the preceding 10 years has been cancelled.

An application and payment of the prescribed fee is required. A permit has effect for 10 years unless surrendered or revoked.

Applications for a permit for premises not holding a Club Premises Certificate e.g. a Commercial Members' Club with a Premises Licence, may be refused by the Licensing Authority on the grounds that:-

- the applicant does not fulfil the requirements for a Members' or Commercial Club

- the premises are used wholly or mainly by children and/or young persons; an offence under the Act or breach of a permit has been committed by the applicant while providing gaming facilities
- a permit held by the applicant has been cancelled in the previous 10 years
- an objection has been made by the Police or Gambling Commission

Permits may be varied at any time to meet changing circumstances, other than an increase above 3 to the number of machines. Licensing Authorities may only refuse a variation if, on consideration of the proposed variation as a new application, they would refuse a permit.

A permit will lapse if the holder no longer qualifies as a Members' Club or no longer qualifies under the 'fast track' system, or the permit is surrendered. A permit may be cancelled if the premises are used wholly or mainly by children and/or young persons or where an offence under the Act or breach of a permit condition has been committed by the applicant in the course of gaming activities.

Permits are valid for 10 years from the date of grant unless previously surrendered, lapsed, renewed or cancelled. An annual charge is payable to the Licensing Authority.

Transitional Arrangements

A registration that is in force on 1 September 2007 will continue to have effect until its natural expiry date. Upon expiry a club will be entitled to apply for either a Club Gaming Permit or Club Machine Permit irrespective of the type of registration previously held.

An application for a new Club Machine Permit must be made at least 2 months before the existing registration expires, together with the prescribed fee.

OTHER PREMISES (TAXI OFFICES, TAKE-AWAY RESTAURANTS, ETC.)

Premises holding a permit under section 34 of the Gaming Act 1968 are prohibited from obtaining a new gaming machine permit under the Act and will be unable to operate gaming machines of any kind after their current permit expires.

UNLICENSED FAMILY ENTERTAINMENT CENTRES

The Licensing Authority may grant an application for a permit for category D gaming machines in an unlicensed Family Entertainment Centre (FEC) provided it is satisfied the premises will be used as an unlicensed FEC and that the Chief Officer of Police has been consulted. There are no limits to the number of machines that may be applied for in an unlicensed FEC.

The Authority will apply its Gambling Policy Licensing Statement in consideration of an application, e.g. requiring an applicant to demonstrate they have no relevant convictions, that they have a full understanding of the maximum stakes and prizes permissible and that staff have a similar understanding.

An application for a permit will have to be accompanied by plans of the premises and a current certificate issued by the Criminal Records Bureau or its equivalent in respect of the applicant, i.e. a certificate issued within the previous 28-day period. The requirement in respect of the CRB certificate will be satisfied, where the applicant is a person who is a sole proprietor of the premises, by submission of a certificate in respect of that person or, where an applicant is a company or partnership, by submission of a certificate in respect of the person normally having day-to-day control of the premises.

The 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.

Where the Authority intends to refuse an application, the applicant will be given the opportunity to make written or oral representations or both. A Hearing will be held before the

~~Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary.~~

~~In determining an application, the Licensing Authority need not have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.~~

~~A permit will last for 10 years unless it ceases to have effect because it is surrendered, it lapses or it is renewed. There is no annual charge payable to the Licensing Authority.~~

~~Unlicensed FEC's may also offer equal chance gaming under the authority of their Gaming Machine Permit.~~

New permits

~~Applications for new permits to begin operating on or after 1 September 2007 may be made to the Licensing Authority from 31 January 2007.~~

PRIZE GAMING

~~Prize gaming may be carried on in premises under a permit issued by the Licensing Authority. A Prize Gaming Permit will not authorise the use of gaming machines.~~

~~The Authority may apply its Gambling Licensing Policy Statement in consideration of an application, e.g. requiring an applicant to demonstrate they have no relevant convictions, that they have a full understanding of the maximum stakes and prizes permissible and that staff have a similar understanding.~~

~~The 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.~~

~~An application for a permit will have to be accompanied by plans of the premises and a current certificate issued by the Criminal Records Bureau or its equivalent in respect of the applicant, i.e. a certificate issued within the previous 28-day period. The requirement in respect of the CRB certificate will be satisfied, where the applicant is a person who is a sole proprietor of the premises, by submission of a certificate in respect of that person or, where an applicant is a company or partnership, by submission of a certificate in respect of the person normally having day-to-day control of the premises.~~

~~Where the Authority intends to refuse an application, the applicant must be given the opportunity to make written or oral representations or both. A Hearing will be held before the Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary.~~

~~In determining an application, the Licensing Authority need not have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.~~

~~A prize gaming permit will last for 10 years unless it ceases to have effect or is renewed. There is no annual charge payable to the Licensing Authority.~~

New permits

~~Applications for new permits to begin operating on or after 1 September 2007 may be made to the Licensing Authority from 31 January 2007~~

Prize gaming without a permit

~~Prize gaming without a Prize Gaming Permit may be carried on in any premises with a Premises Licence issued under the Act, except that casinos may not offer prize bingo.~~

~~Unlicensed FEC's may also offer equal chance gaming only, under the authority of their gaming machine permit.~~

~~Travelling Fairs may also offer equal chance gaming only without a permit provided the facilities for gaming are ancillary amusements to the fair.~~

TRAVELLING FAIRS

~~Travelling Fairs do not require a permit to provide gaming machines but must comply with codes of practice on how they are operated.~~

~~Travelling fairs may provide an unlimited number of category D machines and prize gaming in the form of equal chance gaming provided that facilities for gambling amount to no more than ancillary at the fair.~~

Comment [KW38]: Gambling Commission have publications covering this information and Council webpages will point applicants to relevant information. - not for policy

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ALCOHOL LICENSED PREMISES

PREMISES WHERE THE LICENCE PERMITS THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES AND THE SALE IS NOT CONDITIONAL UPON FOOD BEING SOLD MAY HAVE GAMING MACHINES OF CLASS C OR D

AFTER 1 SEPTEMBER 2007

UP TO 2 MACHINES

1. Automatic entitlement to 2 machines
2. Notify Licensing Authority in writing of proposed intention to operate machines.
3. Pay prescribed fee

MORE THAN 2 MACHINES

1. Apply to Licensing Authority
2. Attach statistical justification showing 'need'
3. Attach plan of premises showing location of machines
4. Pay prescribed fee

1. Permit has effect from date of grant unless surrendered or cancelled
1. Annual charge to be paid to Licensing Authority

1. Licensing Authority can withdraw entitlement for 2 machines where their provision is not consistent with Licensing Objectives; gaming has taken place in breach of a condition; premises are used mainly for gaming; an offence under the Act has been committed.
2. Licensing Authority can cancel a permit where the premises are used wholly or mainly by children or young persons or an offence under the Act has been committed.

BUT

1. Permit holder must be given 21 days notice of the intention to withdraw or cancel
2. Hearing must be held if permit holder requests one
3. Withdrawal or cancellation has no effect until 21 days has elapsed from notice being served where no hearing is requested or 21 days following a hearing or appeal.

Comment [KW39]: Transitional Information

MEMBERS' CLUBS

MAXIMUM OF 3 CATEGORY B4, C OR D MACHINES

AFTER 1 SEPTEMBER 2007

Applications for new permits and renewals must be made to Licensing Authority

ATTACH TO APPLICATION

1. Club Premises Certificate (for fast track applications)
2. Rules of club (if not CPC)
3. Plan of premises showing location of machines
4. Prescribed fee

1. Copy of application and accompanying documents to Police and Gambling Commission
2. Objections may be made (except to 'fast track' applications)
3. Permit lasts 10 years

Application for grant may be refused if: -

1. Applicant does not qualify as a Members' or Commercial Club or Miners' Welfare Institute.
2. The premises are used wholly or mainly by children or young persons.
3. An offence under the Act or a breach of a permit has been committed while providing gaming facilities.
4. A permit held by the applicant has been cancelled in previous 10 years.
5. An objection has been made by Police or Commission.

Application for renewal must be sent to Licensing Authority with fee between 3 and 6 weeks before permit expires and may only be refused on the same grounds as for original grant.

Duration of the permit will not be curtailed while a renewal application is pending or where an appeal against a refusal to renew is outstanding.

Comment [KW40]: Transitional information

UNLICENSED FAMILY ENTERTAINMENT CENTRE

PERMIT MAY BE ISSUED FOR PREMISES WHOSE PRIMARY USE IS AS AN UNLICENSED FAMILY ENTERTAINMENT CENTRE TO HAVE AN UNLIMITED NUMBER OF GAMING MACHINES OF CLASS D

NEW PERMIT TO OPERATE
AFTER 1 SEPTEMBER 2007

1. Attach information required by Gambling Licensing Policy Statement
2. Attach plan of premises showing location of machines
3. Consult Chief of Police
4. Pay prescribed fee
5. Permit lasts for 10 years

Comment [KW41]: Transitional information

Application for grant may be refused if the grant would not be reasonably consistent with the Licensing Objectives, e.g. convictions making the applicant unsuitable, the location and type of premises being unsuitable, issues concerning disorder.

Application for renewal must be sent to Licensing Authority with fee between 2 and 6 months before permit expires and may only be refused if an Authorised Officer has been refused access to the premises without reasonable excuse, or renewal would not be reasonably consistent with the licensing objectives. Duration of the permit will not be curtailed while a renewal application is pending or where an appeal against a refusal to renew is outstanding

Permits will lapse if: -

1. Licensing Authority notifies holder premises are no longer being used as an unlicensed FEC
2. Holder no longer occupies premises
3. Holder dies, becomes mentally incapacitated, bankrupt or, in case of a company, ceases to exist or goes into liquidation
4. Court orders holder to forfeit permit
5. Holder surrenders or fails to renew

PRIZE GAMING PERMIT

PRIZE GAMING PERMITS MAY ONLY BE ISSUED IN RESPECT OF PREMISES FOR WHICH THERE IS NO PREMISES LICENCE OR CLUB GAMING PERMIT ISSUED UNDER THE GAMING ACT 2005

NEW PERMIT TO OPERATE AFTER 1 SEPTEMBER 2007

1. Attach information required by Gambling Licensing Policy Statement
2. Attach plans of premises
3. Pay prescribed fee
4. Permit lasts for 10 years

Comment [KW42]: Transitional information

Application for grant may be refused if the grant would not be reasonably consistent with the Licensing Objectives, e.g. convictions making the applicant unsuitable, the location and type of premises being unsuitable, issues concerning disorder.

Application for renewal must be sent to Licensing Authority with fee between 2 and 6 months before permit expires and may only be refused if an Authorised Officer has been refused access to the premises without reasonable excuse, or renewal would not be reasonably consistent with the Licensing Objectives. Duration of the permit will not be curtailed while a renewal application is pending or where an appeal against a refusal to renew is outstanding.

Permits will lapse if: -

1. Holder no longer occupies premises
2. Holder dies, becomes mentally incapacitated, bankrupt or, in case of a company, ceases to exist or goes into liquidation
3. Court orders holder to forfeit permit
4. Holder surrenders or fails to renew

LOTTERIES

A lottery is unlawful unless it is run in accordance with an Operating Licence issued by the Gambling Commission, or it is exempt. This advice covers only those categories of lottery that are exempt. For more information on the licensing requirements for lotteries, see the Gambling Commission's website on www.gamblingcommission.gov.uk

The Act defines 4 categories of lottery that are exempt from needing an operating licence: -

- Incidental non-commercial lottery
- Private lottery
- Customer lottery
- Small society lottery

Only a small society lottery is required to be registered with the Licensing Authority.

Applications must be made by the promoting society to the Licensing Authority for the area in which the principal address of the society is located. The Licensing Authority must record details of the society in a register and notify the applicant and the Gambling Commission of the registration.

The Licensing Authority will require applicants to declare:-

- the purposes for which the society is established
- that they represent a bona fide non-commercial society, and
- that they have no relevant convictions

The Licensing Authority may refuse an application if:-

- it considers the applicant is not a non-commercial society
- any 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 an application is false or misleading

An application shall be refused if an Operating Licence held or applied for by the applicant has been revoked or refused in the previous 5 years.

The Licensing Authority may revoke a registration where it believes the grounds exist that would permit or require it to refuse an application for registration.

Where the Licensing Authority intends to refuse or revoke the registration application it will give the society:-

- details of the reasons,
- evidence upon which it reached the decision, and
- the opportunity to make written and/or oral representations.

NEW REGISTRATIONS

An application for registration with the prescribed fee must be made to the Licensing Authority under the Act. The registration will be valid indefinitely with an annual fee being payable to the Licensing Authority.

Lottery Requirements

To ensure the main purposes of the lottery are met: -

- the society must apply a minimum of 20% of the proceeds of the lottery to the purposes of the society;
- no single prize may exceed £25000;
- rollovers may be permitted provided every lottery affected is also a small society lottery by the same society and the maximum single prize does not exceed £25000; and
- every ticket must cost the same and must be paid for before being entered into the draw.

Returns

No later than 3 months after making the draw (or in the case of a rollover, the last draw), a return must be sent to the Licensing Authority that: -

- has been signed by 2 members of the society over 18 years of age who are appointed for the purpose in writing by the society or its governing body, if it has one;
- is accompanied by a copy of each member's letter of appointment, and include the following details: -
- the dates when tickets were available for sale;
- the dates of any draw and value of prizes, including any rollover;
- the proceeds raised;
- the amounts deducted for prizes and expenses incurred in organising the lottery;
- the amount applied or to be applied to the purposes of the promoting society; and
- whether any expenses incurred in connection with the lottery were paid for other than from the proceeds of the lottery and, if so, the amount and the source(s) from which they were paid.

EXTERNAL LOTTERY MANAGERS

External Lottery Managers require Operators' Licences issued by the Gambling Commission. For more information, see the Gambling Commission's website on www.gamblingcommission.gov.uk

Comment [KW43]: Relevant information from Licensing Authority within the body of the policy. Gambling Commission provide and produce publications for applicants. Council website will point applicants in right direction for information. - not for policy.

SMALL SOCIETY LOTTERIES

PROMOTED BY A NON-COMMERCIAL SOCIETY ESTABLISHED FOR CHARITABLE PURPOSES; FOR PURPOSE OF ENABLING PARTICIPATION IN OR OF SUPPORTING SPORT, ATHLETICS OR CULTURAL ACTIVITY; OR FOR OTHER NON –COMMERCIAL PURPOSES OTHER THAN PRIVATE GAIN

REGISTRATION TO OPERATE AFTER 1 SEPTEMBER 2007

1. Attach information required: -
 - (a) Purpose for which society established
 - (b) Confirm bona fides of society as non-commercial
 - (c) Declare convictions, if any
2. Pay prescribed fee
3. Registration valid for life, annual fee payable to Licensing Authority

Comment [KW44]: Transitional Information

Lottery requirements: -

1. Society must apply minimum 20% of proceeds to purposes of society
 2. No single prize to exceed £25000
 3. Rollovers permitted provided all lotteries affected are small society lotteries & maximum single prize does not exceed £25000
 4. Tickets must cost the same, be paid for before being entered in draw and include details of society, price, name and address of the person responsible for promotion of the lottery and date of draw
- Returns, which must be made no later than 3 months after draw, must be signed by 2 members and include details of: -
5. Dates tickets were available for sale, dates of draw and value of prizes
 6. Proceeds raised, amounts deducted for prizes, expenses incurred in organising lottery and where any were paid for other than from proceeds of lottery, the amount and source
 7. Amount to be applied to purposes of the promoting society

Registration may be refused if: -

1. Society is not considered to be non-commercial
 2. Any person connected with promotion of lottery has been convicted of relevant offence , or
 3. Information provided in application is false/misleading
- Registration must be refused if an operating licence held by or applied for by the applicant has been revoked or refused in the previous 5 years
- Registration may be revoked where grounds exist for an application for registration to be refused.
- BUT** a registration will not be refused or revoked unless the society has been informed of the reasons and the evidence supporting them and been given the opportunity to make representations

APPENDIX 7

Useful Contacts

The Gambling Commission maintains a list of useful contacts on organisations involved in gambling and their contact details can be found on the Commission's website www.gamblingcommission.gov.uk Some of these organisations provide codes of practice on their particular interest area.

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APPENDIX 8

LIST OF CONSULTEES

Responsible Authorities:

- The licensing authority
- The Gambling Commission
- Chief Officer of Police, Cambridgeshire Constabulary
- Cambridgeshire Fire and Rescue Authority
- Fenland Planning Authority
- Fenland Environmental Health
- Cambridgeshire Safeguarding and Standards Unit
- HM Revenue and Customs
- The Environment Agency
- The British Waterways Board
- Secretary of State for Transport (Maritime and Coastguard Agency)

In addition:

British Amusement Catering Trade Association (BACTA)
(Representing the UK pay to play leisure machine industry)
Leslie MacLeod-Miller Alders House 133 Aldersgate Street, London EC1A 4JA

Association of British Bookmakers
Angela Ruggeri, at ABB, Regency House, 1-4 Warwick Street, London, W1B 5LT

The Bingo Association
Lexham House, 75 High Street, North Dunstable, Beds LU6 1JF

Bingo premises
Empire Theatre, Blackfriars Road, Wisbech, PE13 1AT

British Beer & Pub Association
Richard Matthews BBPA Midland Counties, PO Box 3876, Kidderminster DY11 5YR

Bookmakers within Fenland

Braybrook Racing, 30 North End, Wisbech, Cambs PE13 1PE

Tote Sport, 6 Market Place, Whittlesey, PE7 1AB

S & D Bookmarkets Ltd, 22 Market Hill, Chatteris, PE16 6BA

Pinnacle Racing, 10D Kirkgate Street, Walsoken, Wisbech PE13 3QR

Ladbrokes, Unit 1, 14/17 Church Terrace, Wisbech, PE13 1BL

Ladbrokes, 21 Whitmore Street, Whittlesey, PE7 1HE

Ladbrokes, 1 White Hart Buildings, 1B Nene Parade, March, PE15 8TP

Joe Jennings Bookmakers, 13 High Street, March, PE15 9JA

Joe Jennings Bookmakers, 29 High Street, Wisbech, PE13 1DE

Coral, 47-47A Market Place, Wisbech, PE13 1DP

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Comment [KW45]: A number of
these premises have changed hands
so individual premises will not be
named in the policy document

~~Coral, 2 Station Road, March, PE15 8LB~~

~~Citizens Advice Bureau~~

~~Fenland Citizens Advice Bureau, 12 Church Mews, Wisbech, Cambs, PE13 1HL~~

~~Cambridgeshire Fire and Rescue Service~~

~~Chief Fire Officer, Hinchingbrooke Cottage, Brampton Road, Huntingdon, PE29 2NA~~

~~Cambridgeshire Constabulary~~

~~Mr Trevor Braeken, Community Safety Unit, March Police Station, Burrowmoor Road, March PE15 9RB~~

~~Safeguarding Children's Board~~

~~Joanne Little LSCB Administrator, 7 The Meadows, Meadow Lane, St Ives, Cambridgeshire, PE27 4LG~~

~~Gamblers Anonymous~~

~~nso@gamblersanonymous.org.uk~~

~~Gamcare~~

~~Gamcare, 2nd Floor, 7-11 St Johns Hill, London SW11 1TR~~

~~Gambling Commission~~

~~The Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP~~

~~HM Revenues and Customs~~

~~HM Revenue & Customs, 12th Floor Alexander House, Victoria Avenue, Southend, Essex, SS9 1BD~~

~~Primary Care Trust~~

~~East Cambs & Fenland Primary Care Trust, Central Hall, 52-54 Market Street, Ely,~~

~~[Public Health](#)~~

~~Planning Authority~~

~~Fenland District Council, Development Services, Fenland Hall, County Road, March, PE15 8NQ~~

~~Environmental Health (Domestic)~~

~~Fenland District Council, Food & Safety, Manager, Fenland Hall, County Road, March, PE15 8NQ~~

~~Health & Safety (LA)~~

~~Fenland District Council, Food & Safety Manager, Fenland Hall, County Road, March, PE15 8NQ~~

~~Town and Parish Council Clerks~~

~~Benwick~~

~~Mrs K Poole, 8 Orwell Drive, March, Cambs PE15 8DZ~~

~~Christchurch~~

~~Mr Stephen Cowell, 34 County Road, March, Cambs, PE15 8ND~~

~~Doddington~~

~~Mrs G A Cutteridge, Woodfield, Hospital Road, Doddington, March, Cambs PE15 0SJ~~

~~Chatteris~~

Mrs J Melton, Council Chambers, 14 Church Lane, Chatteris, Cambs, PE16 6JA

Elm

John N Smith, 5 Medway Close, Wisbech, Cambs, PE13 2LA

Gorefield

Mrs Rosemary Gagen, Sportsmans Lodge, 78 High Road, Gorefield, Wisbech, Cambs PE13 4NB

Leverington

Mrs B Boyce, Pingle Lodge Farm, Upwell, Wisbech, Cambs, PE14 9BN

Manea

Mr T Jordan, 1 St Mary's Drive, March, Cambs, PE15 8BJ

March

Mr C Lemmon, Town Hall, Market Place, March, Cambs, PE15 9JF

Newton

Mrs J Barnard, 1 Chapel Lane, Newton, Wisbech, Cambs, PE13 5EX

Parson Drove

Mrs Y Reader, Sunrise, 5 Back Road, Murrow, Wisbech, Cambs, PE15 4JW

Tydd St Giles

Mr R Wright, 28 Thornham Way, Eastrea, Whittlesey, Cambs PE7 2AS

Whittlesey

Mrs S Evans, Town Hall, Market Street, Whittlesey, Peterborough, PE7 1BD

Wimblington

Mr R Wright, 28 Thornham Way, Eastrea, Whittlesey, Peterborough, PE7 2AS

Wisbech St Mary

Mrs C Jobson, 30 Les Baux Place, Arles Avenue, Wisbech, Cambs PE13 2SU

Trading Standards

Cambridgeshire County Council, PO Box 450, Cambridge, CB3 6ZR

Faith Groups

East of England Faiths Council, Unit 37 St Johns Innovation Centre Cowley Road, Cambridge CB4 4DX.

Wisbech Interfaith Group (details TBC by David Bailey)

Norfolk & Fenland Islamic Society (details TBC by David Bailey)

March Churches Together (details TBC by David Bailey)

Wisbech Churches Together (details TBC by David Bailey)

Community Groups

TBC

APPENDIX 9

FEES

Classes of Premises-Licence	Application for a Permit—New Operator £	Application for a Permit—Existing Operator £	Renewal of a Permit £	Annual Fee £	Fee for application to vary a Permit £	Fee for application to transfer a Permit £	Change of Name £	Copy of Permit £
Prize Gaming	300	100	300	=	=	=	25	15
Family Entertainment Centre Gaming Machine (Category D machines only)	300	100	300	=	=	=	25	15
Club Gaming and Club Machine Permit	200	100	200	50	100	=	=	15
Licensed Premises Gaming Machine Permit	150	100	=	50	100	25	25	15
Notice of Intention to make gaming machines available on premises with an premises alcohol licence. Two or less Category D Gaming Machines				Application for a Permit—New Operator £ 50				

Non statutory fees are reviewed by the Licensing Authority on an annual basis in accordance with the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007. Details of current fees can be obtained by contacting-

Fenland District Council
Fenland Hall
County Road
March
Cambridgeshire PE15 8NQ

Tel: 01354 654321
Fax: 01354 606917
E-mail: licensing@fenland.gov.uk

Comment [KW46]: To be made available on council website – not for policy.

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