Brentwood Borough Council

Statement of Gambling Policy

9 April 2025

to

31 January 2028

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Foreword to Gambling Licensing Policy Statement

The Gambling Act 2005 provides the legal framework for the licensing and regulation of commercial gambling in this Country. One of the responsibilities placed by the Act on local authorities is to produce a Gambling Policy Statement. This is the ***fourth*** Statement of Licensing Policy produced by Brentwood Borough Council since the law came into effect. It provides the basis for all gambling related licensing decisions taken by the Council as the Licensing Authority over the next three years 2025 – 2028.

In applying this policy, the Council will not be promoting gambling, nor will it be restricting opportunities for individuals who wish to participate in Gambling. The statement simply sets out the principles that Brentwood Council will apply in exercising our licensing functions under the Act. In applying the principles contained in this policy the Council seeks to work in partnership with the gambling industry and other bodies to ensure proper application of the licensing objectives of:

- 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.

This policy has been produced in accordance with provisions of the Act, Regulations and Guidance issued by the Gambling Commission. It will be kept under review and will be amended when issues arise that make change necessary. In making decisions under this policy, the Council as the licensing authority will aim to achieve an effective balance between meeting the objectives of the Gambling Act 2005 and facilitating the sustainable economic growth of the borough.

PART A

GENERAL

1.0 INTRODUCTION

1.1 This Statement of Licensing Policy sets out the principles that Brentwood Borough 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.

2.0 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.

3.0 DESCRIPTION OF THE BOROUGH

3.1 Brentwood Borough Council is situated in the County of Essex, which comprises twelve Borough Councils and two Unitary Authorities. The council has a population of an estimated 73,600 (2011 census) and covers an area of 15,312 hectares. The main centres of population are in Brentwood, Hutton, Ingatestone and Shenfield. Brentwood is in the London commuter belt situated very close to the M25 and around 20 miles east of the city of London. It holds 4 mainline stations servicing travel into London Liverpool Street.

The main shopping areas are situated in and around Brentwood High Street, and on a smaller scale Shenfield Broadway and Ingatestone High Street. The remainder of the borough is residential developments surrounded by open

countryside and woodland. Since 1978, Brentwood has been twinned with Roth in Germany and with Montbazon in France since 1994. It also has a relationship with Brentwood, Tennessee in the United States.

3.2 There are few major concentrations of premises in the Borough providing facilities for betting and gambling. Those premises are mainly made up of pubs, clubs and betting shops. There are also a number of registered society lotteries.

3.3 Because of the nature of the Borough, premises and events that will be licensed under the Act provide an essential contribution to the local economy of the Borough, through tourism, cultural development and regeneration.

4.0 RESPONSIBILITIES UNDER THE ACT

4.1 The Act introduced a 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. Brentwood Council is the Licensing Authority for the Borough of Brentwood.

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 betting or 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
- promote a lottery.

4.4 The Licensing Authority is responsible for licensing premises in which gambling takes place. All types of gambling are included, 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. The Licensing Authority has additional responsibility 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 under Section 24 of the Act
- In accordance with any relevant Guidance issued by the Gambling Commission under Section 25
- Reasonably consistent with the Licensing Objectives (subject to the bullet points above)
- In accordance with the Licensing Authority's Statement of Licensing Policy (subject to the bullet points above).

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

5.0 STATEMENT OF LICENSING POLICY

5.1 The Licensing Authority is required by the Act to publish a Statement of Licensing Policy which contains the principles it proposes to apply when exercising its functions under the Act.

5.2 This Policy must be reviewed and 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 9 April 2025 *and replaces the policy previously in force.*

6.0 CONSULTATION

6.1 In producing this Policy, the Licensing Authority consulted widely before finalising and publishing it. In addition to the statutory consultees (listed below), the Council chose to consult with additional local groups and individuals. A list of these other groups and persons consulted is also provided below.

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
- 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 were:

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

6.4 Consultation took place between 1 August 2024 and 5 September 2024.

6.5 A full list of comments made and details of the Council's consideration of those comments is available by request to Licensing Department or via the Licensing Authority's website at www.brentwood.gov.uk

7.0 APPROVAL OF POLICY

7.1 This Policy was approved at a meeting of the full Council on ***18 December 2024*** and was published via its website on 12th March 2025. Copies are available on request.

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.

8.0 DECLARATION

8.1 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 and will adopt the Principles of Better Regulation.

8.2 The Council recognises its 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.

8.2 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.

9.0 RESPONSIBLE AUTHORITIES

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

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
- 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, this Authority designates Essex Child Safeguarding Service, for this purpose.

10.0 INTERESTED PARTIES

10.1 Interested Parties can make representations about licensing applications or apply for a review of an existing licence. An Interested Party is defined in the Act as follows:

'… 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).'

10.2 Interested parties can be persons who are democratically elected, such as Councillors and Members of Parliament. Where appropriate this will include county, parish and town councillors.

Interested parties can also be trade associations, trade unions, residents' associations and tenants' associations. Providing that these people represent those living or having business interests in the area which might be affected, no specific evidence of authorisation in requires.

Otherwise, the licensing authority will generally require a third party to produce some form of authorisation to speak on behalf of the interested party.

10.3 Whether a person is an interested party will be determined on a case-by-case basis. The types of organisations which may be considered to have business interests will be given a wide interpretation.

10.4 In determining if a person lives or has business interests sufficiently close to the premises that they are likely to be affected by the authorised activities, the Licensing Authority will consider the following factors:

- 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 (e.g. number of customers, routes likely to be taken by those visiting the establishment)
- The circumstances of the complainant. This does not mean the personal characteristics of the complainant but the interests of the complainant, which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) residential hostels for vulnerable adults
- The catchment area of the premises (i.e. how far people travel to visit)
- Whether the person making the representation has business interests in that catchment area that might be affected

10.5 The Licensing Authority will decide if a representation made in respect of an application is valid based on the following factors:

- It is not frivolous or vexatious
- It raises issues that relate to Guidance issued by the Gambling Commission
- It raises issues that relate to this policy
- It relates to the Licensing Objectives

11.0 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, which include the provision that the Data Protection Act 1998 will not be contravened
- the guidance issued by the Gambling Commission
- other relevant Legislation and Regulations

11.2 In accordance with Section 350 of the Gambling Act 2005, the Licensing Authority may exchange information with the following statutory bodies or individuals:

- A constable or police force
- An enforcement officer
- A Licensing Authority
- Her Majesty's Revenue and Customs
- The Gambling Appeal Tribunal
- The Secretary of State
- Scottish Ministers
- Any other person or body designated by the Secretary of State in accordance with the Act

11.3 The Licensing Authority may also exchange information provided by applicants with law enforcement agencies for purposes connected with the prevention and detection of crime, but we will only share any personal details for this purpose unless required to do so by law.

12.0 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 prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a fee.

13.0 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 follow best practice.

This requires that actions should be:

- Proportionate - Intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
- Accountable - The 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 endeavour to avoid duplication with other regulatory regimes, so far as is possible, and adopt a risk based inspection programme. All enforcement action is taken having regard to the Council's Environmental Health Enforcement Policy.

13.3 The main enforcement and compliance role of the Licensing Authority in terms of the Act is to ensure compliance with the Premises Licence and other permissions which it authorises. The Gambling Commission is 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.

13.4 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 and will have regard to best practice.

13.5 Where appropriate complaints will be investigated in accordance with the stepped approach outlined in the Environmental Health Enforcement Policy. A copy of this document is available on the Council's website. In the first instance we encourage complaints to be raised directly with the licensee or business concerned.

13.6 As part of its ongoing inspection regime, the Licensing Authority may carry out test purchasing to ascertain if a licensee has robust policies in place to prevent underage gambling. Licence holders will always be advised of the outcome of the test. Where operators carry out their own test purchasing, and the Licensing Authority is unable to obtain the results from the Primary Authority, we would expect this information to be provided by the operator when requested. Should the results show a failure then the Licensing Authority will, in the first instance, work with the operator to review and improve their policies and procedures.

13.7 Where there is a Primary Authority Scheme in place, the Licensing Authority will seek guidance from the Primary Authority before taking any enforcement action on matters covered by that scheme. At the time of publication of this policy these were:

- Coral – Milton Keynes
- William Hill – City of Westminster

14.0 DELEGATION OF POWERS

14.1 The Licensing Authority has agreed a scheme of delegation for discharging its functions under the Act and this can be found in Appendix F

PART B

PREMISES LICENCES

15.0 GENERAL PRINCIPLES

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

15.2 In accordance with section 150 of the Act, premises licences can authorise the provision of facilities on:

- Casino premises;
- Bingo premises;
- Betting premises, including tracks and premises used by betting intermediaries;
- Adult gaming centre premises (for category B3, B4, C and D machines);
- Family entertainment centre premises (for category C and D machines) (note that, separate to this category, the licensing authority may issue a family entertainment centre gaming machine permit, which authorises the use of category D machines only).

15.3 Each case will be decided on its merits and will depend upon the type of gambling that is proposed, as well as taking into account how the applicant proposes that the Licensing Objectives concerns can be overcome.

15.4 The Licensing Authorities is required by the Act, in making decisions about Premises Licences, to permit the use of premises for gambling so far as it thinks fit:

- in accordance with any relevant Codes of Practice (LCCP) under section 24 of the Act
- in accordance with any relevant Guidance issued by the Gambling Commission under Section 25
- reasonably consistent with the Licensing Objectives (subject to the two bullet points above)
- in accordance with the Licensing Authority's Statement of Licensing Policy (subject to the three bullet points above).

15.5 **Definition of Premises:**

In the Act as 'premises' is defined as including 'any place'. It is for the Licensing Authority (having due regard for the Gambling Commission Guidance) to

determine on the merits of each application whether different parts of a building can be regarded properly as separate 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).

The authority takes particular note of the Gambling Commission's Guidance with regard to applications for multiple licences for a building, or those for a specific part of the building to be licensed. The Guidance directs the Authority that premises should be configured so that children "are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating"; that "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"; and that "Customers should be able to participate in the activity named on the premises licence".

Where considering applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed), the Authority will consider, as per the Guidance, whether taken as a whole, the co-location of the licensed premises with other facilities may have the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

15.6 **Demand:**

The authority is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The 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.

15.7 **Location:**

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

With regard to these objectives, it is the authority's policy, upon receipt of any relevant representations to look at specific location issues including:

- The possible impact a gambling premises may have on any premises that provide services to children or young people, i.e. school, or vulnerable adult centres in the area
- The possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children

- The size of the premises and the nature of the activities taking place
- Any levels of organised crime in the area

15.8 In order for location to be considered, the authority will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives. From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees to assess the local risk to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

15.9 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:

- To take account of significant changes in local circumstances, including those identified in this policy
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks
- When applying for a variation of a premises licence
- In any case, undertake a local risk assessment when applying for a new premises licence
-

15.10 The authority will expect the local risk assessment to consider as a minimum:

- Whether the premises is in an area of deprivation
- Whether the premises is in an area subject to high levels of crime and/or disorder
- The ethnic profile of residents in the area, and how game rules, self-exclusion leaflets etc, are communicated to these groups
- The demographics of the area in relation to vulnerable groups
- The location of services for children such as schools, playgrounds, top shops, leisure centres and other areas where children will gather

In every case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

15.11 Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability to staff to offer brief intervention and how the manning of premises affect this
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored
- The layout of the premises so that staff have an unobstructed view of people using the premises

- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises
- Arrangements for monitoring and dealing with underage persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide betting machines

15.12 The Licensing Authority expects all licensed premises to have their local area risk assessment available on site for inspection by an authorised officer at all times when they are trading.

Such information may be used to inform the decision the authority makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

15.13 Local Area Profile

Each locality has its own character and challenges. In order to assess applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the authority may publish a local area profile. Brentwood Borough Council has not yet published a local area profile; however the Licensing Authority commits to assisting applicants by providing them such information that they may require when considering their local area risk assessments.

15.14 **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 granted Planning Permission or Building Control consent.

The Gambling Commission's Guidance to Licensing Authorities states:

‘7.58 In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal…’

‘7.65 When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. S201 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.’

This licensing authority places due regard on these extracts from the Guidance (September 2015 version). The Licensing Authority is aware that in May 2015 the Government introduced additional planning controls in relation to betting offices, removing them from Class D2 use to a ‘sui generis’ use. This means that Betting Shops have been taken out of the planning ‘use’ classes and will need to receive planning approval. This has enabled Planning Authorities to exercise stricter controls over these uses, and this Authority would expect applicants for new Gambling Premises Licences to have been granted permission to use prospective premises for the proposed operation subject of the licence application.

15.15 **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 –** 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.

Whilst the Licensing Authority is aware that the Gambling Commission takes 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, the Licensing 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.

- **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. However, the Licensing Authority will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other matters as set out in the Gambling Commission's Licence Conditions and Code of Practice.

- **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.

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, or substance misuse of alcohol or drugs.

The licensing authority will consider very carefully whether applications for Premises Licences in respect of gambling premises located close to schools, centres for gambling addicts, or residential areas where there may be a high concentration of families with children, should be granted.

15.16 **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 where there are specific risks or problems associated with a particular locality, specific premises or class of premises, the Authority may consider attaching individual conditions related to the licensing objectives.

Any conditions attached to Licences will be proportionate and will 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
- 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, if deemed appropriate:

- Proof of age schemes

- Closed Circuit Television
- Door Supervisors
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entrances
- Notices and signage
- The training of staff to deal with suspect truants and vulnerable persons
- Specific opening hours
- 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, Gamblers Anonymous, Gordon House Association, National Debtline and local Citizen Advice Bureaux and independent advice agencies

This list is not exhaustive but indicative of examples.

15.17 It is recognised 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

15.18 **Credit:**

Credit facilities are prohibited from being provided in casinos and bingo licensed premises. Cash machines (ATM's) may be installed in such premises but the licensing authority may apply conditions as to where they are sited.

15.19 **Betting Machines** (See Appendix A 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*).

15.20 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
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons

15.21 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.

15.22 In all applications where a plan is required to be submitted, the Licensing Authority expectation is that it will be in a scale of 1:100 unless otherwise agreed in writing and that, as a minimum, it will show the following (as appropriate to the type of application):

- The extent of the proposed licensed area
- All entry and exit points (including fire exits)
- CCTV camera positions
- Positions of betting terminals, high pay out machines (including fixed odds betting terminals) and ATM's
- Any fixed or permanent structures including counters
- Privacy screens (see also section 21 of this policy)
- All unlicensed areas under the control of the licensee including any "sterile areas" and toilet and kitchen facilities be they for staff or public use.

16.0 PROVISIONAL STATEMENTS

16.1 An application for a provisional statement may be made in respect of premises which the applicant:

- expects to be constructed
- expects to be altered
- expects to acquire a right to occupy

16.2 The applicant should refer to the Act and the detailed information provided in the Guidance.

17.0 REVIEWS

17.1 Application for a Review of a Premises Licence may be made by Responsible Authorities and Interested Parties.

17.3 It is for the Licensing Authority to decide whether the review is to be carried out. This decision will generally be on the basis of whether the request for the review is relevant to the matters listed below:

- Whether the grounds for the request raises issues relevant to the principles to be applied by the Licensing Authority and set out within the Licensing Authority Statement of Policy
- whether the grounds for the request are frivolous or vexatious
- whether the grounds for the request would certainly not cause the Authority to alter/revoke/suspend the premises licence
- whether the grounds for the request are 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 In accordance with the Guidance, the Licensing Authority can also initiate a review of a Licence on the basis of any reason which it thinks is appropriate. There is no appeal, other than by way of Judicial Review, against the Authority's determination of the relevance of an application for review.

18.0 ADULT GAMING CENTRES

18.1 An Adult Gaming Centre is defined in Appendix A. Entry to these premises is age restricted.

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

19.0 LICENSED FAMILY ENTERTAINMENT CENTRES

19.1 A licensed Family Entertainment Centre is defined in Appendix A 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.

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

20.0 CASINOS

20.1 A casino is defined in Appendix A. Entry to these premises is age restricted.

20.2 The Licensing Authority is empowered to pass a resolution not to issue new licences for casinos in its area.

20.3 Brentwood Borough Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. The Council would consider each application on its own merit.

20.5 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 that 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 Statement of Licensing Policy was adopted this area had not been so enabled.

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

20.6 Betting Machines:

20.7 Conditions may be imposed in accordance with paragraphs 15.14, 15.15 and 15.16 above.

20.8 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.

20.9 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.

21.0 BINGO PREMISES

21.1 Bingo is defined in Appendix A 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.

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.

22.0 BETTING PREMISES

22.1 Betting is defined in Appendix A. Entry to these premises is age restricted.

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

23.0 BETTING MACHINES

23.1 Conditions may be imposed in accordance with paragraphs 15.19, 15.20 and 15.21 above.

23.1 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.

23.2 FIXED ODDS BETTING TERMINALS (FOBT'S)

In respect to nationally expressed concerns that exist in relation to the potentially adverse impact FOBT's may have on vulnerable groups of adults, the Licensing Authority will give due consideration to the need to apply conditions to betting shop premises licences including, but not limited to, setting out minimum staffing levels to ensure sufficient staff are on the premises to enable staff to comprehensively promote responsible gambling, adequately protect players, particularly in relation to players who are deemed to be vulnerable and to prevent under 18 year olds accessing gambling facilities.

23.3 The Licensing Authority expects FOBT's to be positioned in such a way that they can be appropriately monitored by staff, particularly where those staff are positioned at a counter away from the machines. In general, the Authority is of the view that "privacy screens" will hamper this and will expect the local area risk assessment to take this into account where applicants intend to construct such screens. Particular attention should be paid to the Gambling Commission's Social Responsibility Codes in this regard.

24.0 TRACKS

24.1 **A track is defined in Appendix A.** Entry to these premises may be age restricted. Please refer to the Gambling Commission Guidance

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

24.3 BETTING MACHINES

24.4 Conditions may be imposed, in accordance with paragraphs 15.19, 15.20 and 15.21 above.

24.4 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.

25.0 TRAVELLING FAIRS

25.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met, and this provision continues in similar fashion under the Act.

25.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than ancillary amusement at the fair.

25.3 The Licensing Authority will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair.

25.4 It will fall to this Licensing Authority to determine whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at a travelling fair is met. Current stakes and prizes can be found at Appendix A

25.5 Fairs cannot be held on a piece of land for more than 27 days per calendar year, regardless of whether it is the same or different travelling fair occupying the land. The Licensing Authority will work with its neighbouring authorities to ensure that land which crosses the administrative boundaries is monitored so that statutory limits are not exceeded.

PART C

PERMITS/TEMPORARY OR OCCASIONAL USE NOTICES/REGISTRATIONS

26.0 GENERAL

26.1 The Act introduced a range of permits for gambling which are granted by Licensing Authorities. Permits are required when premises provide a gambling facility but either the stakes and prizes are very low, or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in specific premises. With the exception of limiting machine numbers on Licensed

Premises Gaming Machine permits, the Licensing Authority may only grant or reject an application for a permit. No conditions may be attached.

27.0 Unlicensed Family Entertainment Centre Gaming Machine Permits

27.1 Where a premises does not hold a Premises Licence but wishes to provide Gaming machines, it can 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.

27.2 The Licensing Authority requires the applicant to submit a scale plan of the premises showing the areas which the permit will cover together with any other areas under the control of the licensee. Generally, this will be at a scale of 1:100 but other scales may be submitted with prior agreement from the Licensing Authority. Full details can be found in section 15.22

27.2 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 and Barring*** check for the applicant and the person having the day-to-day control of the premises
- Proof of age schemes
- How the applicant proposes to ensure that children will be protected from harm whilst on the premises
- Training covering how staff would deal with:
    - unsupervised, very young children being on the premises
    - children causing perceived problems on/around the premises
    - suspect truant children.

In addition, applicants should be able to demonstrate a full understanding of the maximum stakes and prizes (and that staff are suitably trained in this respect).

28.0 (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

28.1 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 via notification to the Licensing Authority.

28.2 Gaming machines can only be located on licensed premises that have a bar for serving customers.

28.3 Premises restricted to selling alcohol only with food, will not be able to have gaming machines or apply for a Permit.

28.4 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
- As regards the protection of vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information, leaflets ***and/or*** help line numbers for organisations such as GamCare
- Relevant Codes of Practice issued by the Gambling Commission

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.

29.0 PRIZE GAMING PERMITS [See Appendix A for definition]

29.1 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 basic ***Disclosure and Barring*** check for the applicant and the person having the day-to-day control of the premises; Proof of age schemes;
- How the applicant proposes to ensure that children will be protected from harm whilst on the premises;
- Training covering how staff would deal with:-
    - unsupervised, very young children being on the premises;
    - children causing perceived problems on/around the premises;
    - Suspected truant children.

In addition, applicants should be able to demonstrate a full understanding of maximum stakes and prizes (and that staff are suitably trained in this respect).

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.

30.0 CLUB GAMING AND CLUB MACHINE PERMITS

30.1 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.

30.2 Commercial clubs may apply for a club machine permit, subject to restrictions.

30.3 The gambling provided under the authority of a club gaming permit must also meet the following conditions:

(a) in respect of gaming machines:

- No child or young person may use a category B or C machine on the premises;
- That the holder must comply with any relevant provision of a code of practice about the location and operation of gaming machines.

(b) The public, children and young persons must be excluded from any area of the premises where the gaming is taking place.

30.4 Section 273 of the Act sets out the conditions that will apply to the club machine permit, including that in respect of gaming machines no child or young person uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

PART D

OCCASIONAL AND TEMPORARY PERMISSIONS

31.0 TEMPORARY USE NOTICES (TUN)

31.1 A 'TUN' is defined in Appendix A

31.2 A TUN may only be granted to a person or company holding an operating licence relevant to the temporary use of the premises. Regulations issued by the Secretary of State prescribe the activities to be covered. At present a Temporary Use Notice can only be issued for equal chance gaming.

31.3 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 premises from

having a TUN in effect for more than 21 days per year by giving a Notice in respect of different parts.

31.4 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.

31.5 The Licensing Authority 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.

32.0 OCCASIONAL USE NOTICES (OUN)

32.1 Occasion Use Notices are defined in Appendix A. Occasional Use Notices, 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.

32.2 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. The OUN dispenses with the need for a Betting Premises Licence for the track.

32.3 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.

32.4 The Licensing Authority will, however, consider the definition of a track and whether the applicant is permitted to avail him/herself of the Notice.

33.0 SMALL SOCIETY LOTTERIES

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

34.0 APPENDICIES

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

DEFINITIONS **Appendix A**

Adult Gaming Centre	Premises in respect of which an Adult Gaming Centre Premises Licence has effect.
ATM	Automated Teller Machine (cash machine)
Authorised Local Authority Officer	A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that Authority's area.
AWP machines	Amusement with Prizes Machines
BACTA	British Amusement Catering Trade Association
Betting Machines	A machine designed or adapted for use to bet on future real events (not a Gaming Machine).
Bingo	A game of equal chance.
Casino	An arrangement whereby people are given an opportunity to participate in one or more casino games.
Casino Games	Games of chance that are not equal chance gaming.
Casino Premises Licence Categories	a) Regional Casino Premises Licence b) Large Casino Premises Licence c) Small Casino Premises Licence

	d) Casinos permitted under transitional arrangements
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)
Club Gaming Permit	Permit to enable the premises to provide gaming machines (3 machines of Categories B C or D), equal chance gaming and games of chance.
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.
Customer Lotteries	Lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These lotteries may not be conducted on vessels.
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 4 types: • Small Society Lottery (required to register with Licensing Authorities. • Incidental Non Commercial Lotteries • Private Lotteries • Customer Lotteries
Exchange of Information	Exchanging of information with other regulatory bodies under the Gambling Act.
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.

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 *Max. Stake Max Prize* A Unlimited B1 £5 £10000 * B2 £2 £500 B3 £2 £500 B3A £2 £500 B4 £2 £400 C £1 £100 D – money prize 10p £5 D – non-money prize (other than crane grab machine or a coin pusher or penny falls machine) 30p £8 D – non-money prize (crane grab machine) £1 £50 D – money prize (other than a coin pusher or penny falls machine) 10p £5 D – combined money and non-money prize (other than a coin pusher or penny falls machine) 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 machine) 20p £20 (of which no more than £10 may be a money prize). *with the option of a maximum £20,000 linked progressive jackpot on a premises basis only.

Guidance to Licensing Authorities	Guidance issued by the Gambling Commission updated 13 May 2021
Incidental Non Commercial Lottery	A lottery promoted wholly for purposes other than private gain, and which are incidental to non-commercial events (commonly charity fund raising events, lottery held at a school fete or at a social event such as a dinner dance).
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
Large Lottery	Where the total value of tickets in any one lottery exceeds £20,000 OR tickets in separate lotteries in one calendar year exceeds £250,000. This requires an Operating Licence.
Licensed Lottery	Large society lotteries and lotteries run for the benefit of local authorities which will be regulated by the Gambling Commission. Operating Licences will be required.
Live Gaming	Gambling on a live game as it happens.
Lottery	An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.

Lottery Tickets	Tickets that must: • 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.
Mandatory Conditions	Conditions that must be attached to a licence. This may apply to all Premises Licences, to a class of Premises Licence or licences for specified circumstances.
Members Club	A club that must • have at least 25 members • be established and conducted 'wholly or mainly' for purposes other than gaming • be permanent in nature • not established to make commercial profit • controlled by its members equally.
Non-commercial event	An event where all the money raised at the event, including entrance fees, goes entirely to purposes that are not for private gain.

Non Commercial Society	A society established and conducted: • for charitable purposes • for the purpose of enabling participation in, or of supporting, sport athletics or a cultural activity; or • for any other non-commercial purpose other than that of private gain
Occasional Use Notice	Betting may be permitted on a 'track' without the need for a full Premises Licence.
Operating Licences	Licence to permit individuals and companies to provide facilities for certain types of gambling. They may authorise remote or non-remote gambling.
Permits	Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.
Personal Licence	Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. These cannot be held by companies.
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, including tracks, adult gaming centres and family entertainment centres

Private Lotteries	3 Types of Private Lotteries: • Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society • Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises • Residents' Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises;
Prize Gaming	Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.
Prize Gaming Permit	A permit to authorise the provision of facilities for gaming with prizes on specific premises.
Provisional Statement	Where an applicant can make an application to 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.

Simple Lottery	An arrangement where: • Persons are required to pay to participate in the arrangement • In the course of the arrangement, one or more prizes are allocated to one or more members of a class; and • The prizes are allocated by a process which relies wholly on chance.
Small Lottery	Where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.
Small Society Lottery	A lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.
Society	The society or any separate branch of such a society, on whose behalf a lottery is to be promoted.
Statement of Principles	Matters taken into account when considering an applicant's suitability for applications for FEC Permits and prize gaming permits.
Temporary Use Notice	To allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.

Track	Sites where races or other sporting events take place e.g. horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place.
Travelling Fair	A fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.
Virtual Betting	Machine that takes bets on virtual races, i.e. mages generated by computer to resemble races or other events.
Vulnerable Persons	No set definition, but likely to mean groups 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.

GAMBLING ACT 2005 RESPONSIBLE AUTHORITIES **Appendix B**

Licensing Authority

The Licensing Authority	Brentwood Borough Council Town Hall Ingrave Road Brentwood Essex CM15 8AY 01277- 312500 licensing@brentwood.gov.uk

Responsible Authorities

Essex Police	Licensing Department (Gambling) Essex Police Braintree Essex, CM7 3DJ licensing.applications@essex.police.uk
Essex County Fire and Rescue Services	Basildon & Brentwood SDP Fire Station Broadmayne Basildon Essex SS14 1EH southwestgroupsdp@essex-fire.gov.uk
Essex County Council Children"s Safeguarding Service	Licensing Applications Child Safeguarding Service 70 Duke Street County Hall Chelmsford, CM1 1JP licenceapplications@essex.gov.uk
Trading Standards [Essex]	Information and Business Support Team Essex Trading Standards New Dukes Way Office 2 Beaufort Road Dukes Park Industrial Estate Chelmsford

	Essex CM2 6PS ESHbsnewdukesway@essex.gov.uk
The Local Planning Authority	Brentwood Borough Council Town Hall Ingrave Road Brentwood Essex CM15 8AY planning@brentwood.gov.uk
The Local Authority with functions related to prevention of risk of pollution of the environment. (Environmental Health) -	Brentwood Borough Council Town Hall Ingrave Road Brentwood Essex CM15 8AY hoehpps@brentwood.gov.uk
Gambling Commission	Gambling Commission 4th Floor Victoria Square House Victoria Square Birmingham B2 4BP info@gamblingcommission.gov.uk
HM Revenue & Customs	The Proper Officer National Registration Unit Portcullis House 21 India Street Glasgow G2 4PZ nru.betting&gaming@hmrc.gsi.gov.uk

APPLICATION PROCESS **Appendix C**

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 premise's licence is required for any premises where gambling activity is carried out of a type requiring personal and operator's 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 premise's licence cannot be granted until the necessary operator's licence has been issued.

Premise's 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 premise's licence, provided the application is made in accordance with the Act, the Gambling Commission's guidance and the Licensing Authority's Statement of Licensing Principles. Licence will be subject of mandatory and default conditions applied by regulations issued under the Act.

Premise's 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)

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 premise's licence.

Tracks

An operator's licence is not required from the Gambling Commission to operate a track but a premise's licence from the Licensing Authority is required. A number of premise's 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 premise's licence-holder (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 premise's licence-holder 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 operator's 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 Gambling Act 2005 automatically authorise the provision of gaming machines, according to the type of premises and gambling activities permitted (but see also *'Tracks'*).

The Gambling Act 2005 introduces new classes of gaming machines, as shown in figure 1 below. The category and number of machines that may be operated under a premise's licence are shown in figure 2 below.

Fig. 1

Category of machine	**Maximum Stake £**	**Maximum Prize £**
A	Unlimited	Unlimited
B1	£5	£10000*
B2	£2	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100

D - non-money prize (other than a crane grab machine or coin pusher or penny falls machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – Money prize (other than a coin pusher or penny falls machine)	10p	£5
D- combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D – combined money can non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be money prize)

* with the option of a maximum £20,000 linked progressive jackpot on a premises basis only.

Fig. 2

Type of Authorisation	**Machine Categories Permitted**						
Premise Type	**A**	**B1**	**B2**	**B3 B3A**	**B4**	**C**	**D**
Regional casino (table/ machine ratio of 25-1 up to maximum)	Maximum of 1250 machines (subject to a machine/table ratio). Any combination of machines in categories A to D (except for B3A machines).						
Large casino (table/ machine ratio of 5-1 up to maximum)	X	Maximum of 150 machines (subject to a machine/table ratio). Any combination of machines in categories B to D (except for B3A machines).					
Small casino (table/ machine ratio of 2-1 up to maximum)	X	Maximum of 80 machines (subject to a machine/table ratio). Any combination of machines in categories B to D (except for B3A machines)					
Converted Casino Premises Licence (Pre-2005 Act Casinos)	X	Maximum of 20 machines (no machine/table ratio). Any combination of machines in categories B to D or C or D machines instead (except for B3A machines).					
Betting premises (other)	X	X	Maximum of 4 machines. Any combination of machines in categories B2 to D (except for B3A machines).				
Betting premises (Track)	X	X	As Betting (other), but only if the licence-holder also holds a Pool Betting Operating Licence.				

Bingo Premises	X	X	X	20% of total gaming machines#		Unlimited	
Adult gaming centre	X	X	X	20% of total gaming machines #		Unlimited	
Family Entertainment Centre Premises Licence	X	X	X	X	X	Unlimited	
Family Entertainment Centre Gaming Machine Permit	X	X	X	X	X	X	Unlimited
Club Gaming Permit or Club Machine Permit	X	X	X	Maximum of 3 machines Members clubs – from Cat. B3a/B4/C/D Commercial clubs – from Cat. B4/C/D			
Alcohol-licensed premises Automatic entitlement	X	X	X	X	X	1 or 2 machines of category C or D LA must be notified	
Alcohol licensed premises Gaming Machine Permit	X	X	X	X	X	As allowed by permit	
Travelling fair (no authorisation required)	X	X	X	X	X	X	Unlimited
	A	B1	B2	B3 B3A	B4	C	D

X = category of machines not permitted on this type of premises)

AGC/Bingo premises in existence before 13 July 2011 or granted between 13/07/2011 and 01/04/2014 may provide 4 or 8 (respectively) category B machines, or up to 20% of the total number if this is greater.

Minimum age of 18 years to use Category A, B and C machines. No age limit on Category D machines.

Temporary Use Notices (TUNs)

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 Authorities will consider, amongst other things, the ownership / occupation and control of the premises.

The Licensing Authority should 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 which the gambling event is to take place, a TUN must be given to: -

- the Licensing Authority,
- the 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 within 14 days of the date of the notice to the gambling activity taking place. 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 Licensing 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 (OUNs)

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 a premise on which a race or other sporting event takes place or is intended to take place. Tracks need not be a permanent fixture.

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. 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.

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, member's 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 member's clubs; and
- Prize gaming, e.g. at travelling fairs.

GAMING MACHINES

The Gambling Act 2005 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 £
B3A	2	500
B4	2	400
C	1	100
D - non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30p	8
D – non-money prize (crane grab machine)	1	50
D – non-money prize (other than a coin pusher or penny falls machine)	10p	5
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	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 machine)	20p	£20 (of which no more than £10 may be a money prize)

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

Fig. 4

	Machine category							
Premises Type	A	B1	B2	B3	B3A	B4	C	D
Clubs or miners' welfare institutes with permits					Maximum of 3 machines Members clubs – from Cat. B3a/B4/C/D Commercial clubs – from Cat. B4/C/D			
Alcohol Licensed Premises Automatic Entitlement							1-2 machines LA must be notified	
Alcohol Licensed Premises Gaming Machine Permit							As allowed by permit	
Family entertainment centre (with permit)								Unlimited
Travelling fair								Unlimited

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 premise's licence may be authorised to operate machines of class C or D provided the premise's 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 Gambling Act 2005 gives an automatic entitlement for the holder of a premise's licence under the 2003 Act to provide up to two gaming machines on their premises.

An application for a permit is not required but premise's licence-holders 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 Licensing Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

NEW PERMITS

Where the holder of a premise's 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 intend 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 Licensing Sub-Committee for this purpose, unless all parties agree that it is unnecessary

Where the premise's 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.

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 premise's licence-holder 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 premise's licence-holder 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 Gambling Act 2005 permits a member's club holding a club premise's certificate issued under the Licensing Act 2003, or miner's welfare institute, to hold a **club gaming permit** allowing participation in equal chance gaming or playing games of chance (see *'Annex A'* for definitions of 'equal chance gaming' and 'games of chance'). In addition they may operate a maximum of 3 machines of either class B3A, B4, C or D.

The Act also permits a member's club holding a club premise's certificate or a commercial club holding a premise's licence under the Licensing Act 2003 to operate a maximum of 3 machines of either class B4, C or D under a **club machine permit**.

New permits

Applications for a permit for premises already holding a club premise's 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 premise's certificate e.g. a commercial member's club with a premise's licence, may be refused by the Licensing Authority on the grounds that the applicant does not fulfil the requirements for a member's 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 member's 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.

A registration that is in force on 1 September 2007 will continue to have effect until it's 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

Premises such as taxi offices, take-away restaurants, cafes etc are prohibited from obtaining a gaming machine permit under the Gambling Act 2005 and will be unable to operate gaming machines of any kind.

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 Statement of Principles 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 ***Disclosure and Barring Service (DBS)*** in respect of the applicant, i.e. a certificate issued within the previous 28-day period. The requirement in respect of the ***DBS*** 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 Licensing 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.

Permits 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 FECs may also offer equal chance gaming under the authority of their gaming machine permit.

New permits

Applications for new permits may be made to the Licensing Authority

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 Statement of Principles 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 ***Disclosure and Barring Service (DBS)*** in respect of the applicant, i.e. a certificate issued within the previous 28-day period. The requirement in respect of the ***DBS*** 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 Licensing 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 may be made to the Licensing Authority.

Prize gaming without a permit

Prize gaming without a Prize Gaming Permit may be carried on in any premises with a Premise's Licence issued under the Gambling Act 2005, except that casinos may not offer prize bingo.

Unlicensed FECs 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 amusement at the fair.

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 Gambling Act 2005 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: -

- they consider 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 intend 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 Gambling Act 2005. 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 £25,000,
- 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 £25,000, 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 the 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 operator's licences issued by the Gambling Commission. For more information, see the Gambling Commission's website on www.gamblingcommission.gov.uk

Appendix D

ADVICE FOR THOSE WHO HAVE DIFFICULTY UNDERSTANDING ENGLISH

THE FOLLOWING WORDING IS TRANSLATED INTO SEVERAL LANGUAGES TO ASSIST THOSE WHOSE FIRST LANGUAGE IS NOT ENGLISH.

THE ENCLOSED PAPERS ARE VERY IMPORTANT.
IF YOU HAVE DIFFICULTY READING OR UNDERSTANDING ENGLISH,
PLEASE CONTACT SOMEONE WHO CAN HELP YOU IMMEDIATELY.

ALBANIAN	**Letrat e bashkangjitura jane shume te rendesishme.** **Nese keni veshtersi per te lexuar ose kuptuar gjuhen angleze** **ju lutemi kontaktoni dikend per te ju ndihmuar menjehere.**
ARABIC	**الصفحات المرفقة مهمة جدا** **إذا لديک الصعوبة لقراءة أو فهم اللغة الإنجليزية** **أرجو أن تتصل بأي شخص الذي بإمكانه أن تساعدک فورا**
BENGALI	**এই সঙ্গে দেওয়া কাগজপত্র অত্যন্ত জরুরী।** **আপনার যদি ইংরেজী ভাষা পড়তে বা বুঝতে সমস্যা হয়, তাহলে** **এমন কারো সঙ্গে যোগাযোগ করুন যে অবিলম্বে আপনাকে সাহায্য করতে পারবে।**
CHINESE	夾附的文件非常重要。 如果你看不懂英文， 請立即與能夠幫助你的人聯絡。
GUJARATI	આ સાથે બીડેલાં કાગળો બહુ જ અગત્યના છે. જો તેની વિગત તમને અંગ્રેજીમાં વાંચવામાં અને સમજવામાં મુશ્કેલી પડતી હોય તો, મહેરબાની કરી કોઈ વ્યક્તિને સંપર્ક કરો જે તમને તુરત મદદ કરી શકે.
	साथ दिए गए कागज़ात बहुत ज़रूरी हैं। यदि आपको अंग्रेज़ी पढ़ने या समझने में मुश्किल आती है तो कृपया किसी से कहें जो तुरंत आपकी मदद कर सके।

HINDI	

KURDISH	**ئەم پەڕانەی هاوپێچکراون زۆر گرنگن** **ئەگەر تۆ گرفتت هەیە لەگەڵ خوێندنەوە یان تێگەیشتنی نوسراوی ئینگلیزی** **ئەوا تکایە پەیوەندی بە یەکێکەوە بکە کە بتوانێت بە زووترین کات یارمەتیت بدات**
PUNJABI	ਨਾਲ਼ ਦੇ ਕਾਗ਼ਜ਼ਾਤ ਬਹੁਤ ਜ਼ਰੂਰੀ ਕਾਗ਼ਜ਼ ਹਨ। ਜੇ ਤੁਹਾਨੂੰ ਅੰਗਰੇਜ਼ੀ ਪੜ੍ਹਨ ਜਾਂ ਸਮਝਣ ਚ ਕੋਈ ਦਿੱਕਤ ਹੁੰਦੀ ਹੋਵੇ, ਤਾਂ ਮਿਹਰਬਾਨੀ ਕਰਕੇ ਕਿਸੇ ਨੂੰ ਆਖੋ, ਜੋ ਤੁਹਾਡੀ ਫ਼ੌਰਨ ਮਦਦ ਕਰ ਸਕਦਾ/ਸਕਦੀ ਹੋਵੇ।
TURKISH	**İlişikteki kağıtlar çok önemlidir.** **İngilizceyi okumakta veya anlamakta zorluk çekiyorsanız size derhal yardım edebilecek birisiyle lütfen temas kurunuz.**
URDU	منسلک کئے گئے کاغذات بہت ضروری ہیں۔ اگر آپ کو انگریزی پڑھنے اور سمجھنے میں کسی دشواری کا سامنا ہے، تو براہِ کرم کسی سے رابطہ کریں جو فوری طور پر آپ کی مدد کر سکے۔

TERMS OF REFERENCE AND DELEGATION OF POWERS **Appendix E**

1 In relation to licensing functions the panels will decide all applications against which representations have been made and not withdrawn. These are:

(a) (i) Section 18(3) (Determination of Application for Premises Licence where representations have been made).

(ii) Section 31(3) (Determination of Application for Provisional Statement where representations have been made).

(iii) Section 35(3) (Determination of Application for Variation of Premises Licence where representations have been made).

(iv) Section 39(3) (Determination of Application to Vary Designated Premises Supervisor following police objection).

(v) Section 44(5) (Determination of Application for Transfer of Premises Licence following police objection).

(vi) Section 48(3) (Consideration of police objections made to Interim Authority Notice).

(vii) Section 72(3) (Determination of Application for Club Premises Certificate where representations have been made).

(viii) Section 85(3) (Determination of Application to Vary Club Certificate where representations have been made).

(ix) Section 105(2) (Decision to give counter notice following police objection to temporary event notice).

(x) Section 120(7) (Determination of Application for Grant of Personal Licence following police objection).

(xi) Section 121(6) (Determination of Application for Renewal of Personal Licence following police objection).

(xii) Section 124(4) (Revocation of Licence where convictions came to light after grant etc.).

(b) Any function under Section 52(2) or (3) (determination of application for review of Premises Licence) in a case where relevant representations (within the meaning of Section 52(7)) have been made;

(c) Any function under Section 88(2) or (3) (determination of application for review of Club Premises Certificate) in a case relevant representations (within the meaning of Section 88(7)) have been made; or

(d) Any function under Section 167(5) (Review following Closure Order) in a case where relevant representations (within the meaning of Section 167(9)) have been made.

2. The Licensing Manager be given delegated responsibility for all other functions under the Act.

3. That the Licensing Manager can following the decision to call a hearing, agree to cancel the hearing if all parties agree one is unnecessary.

4. That the Licensing Manager in conjunction with the Manager of Legal Services agree that a representation is frivolous, vexatious or repetitious.

LIST OF CONSULTEES **Appendix F**

The following organisations and individuals were consulted as part of the formal consultation exercise on the Statement of Gambling Licensing Policy:

- All responsible Authorities for the Gambling Act.

In addition to the above, copies of the draft Statement of Gambling Licensing Policy were made available on the Council's website and press releases were arranged.

USEFUL CONTACTS Appendix G

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.