

# Gambling Policy Statement

## Dartford Borough Licensing Authority

03 January 2019 to 02 January 2022

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# GAMBLING POLICY STATEMENT

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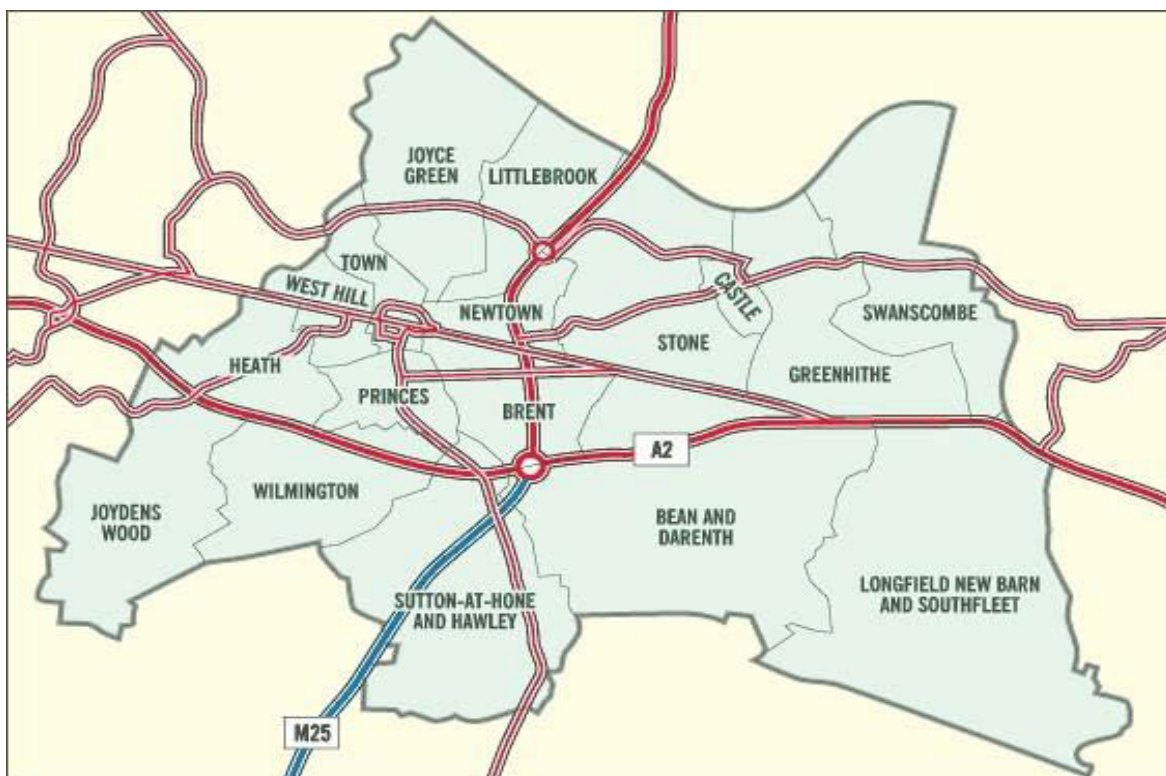
## 1. Introduction

Dartford Borough Licensing Authority is situated in the County of Kent, which contains 12 District Licensing Authorities and 1 Unitary Authority in total. Each is represented on the Kent & Medway Regulatory Licensing Steering Group (K&MRLStGp) whose role includes the identification of issues on which a consistent countywide approach is considered essential and the formulation of recommended policy that establishes a minimum standard on these identified issues.

This Gambling Policy Statement has been formulated in conjunction with the K&MRLStGp. This edition has been comprehensively revised to reflect clearly the expectations of Dartford Borough Council in its role as a Licensing Authority.

This Statement of Principles endeavours to carefully balance the interests of those who provide facilities for gambling and people who live, work in, and visit Dartford. Its focus is to aim to permit gambling, as required by section 153 of the Gambling Act 2005, in so far as it is (a) in accordance with the Gambling Commission's Licence Conditions and Codes of Practice; (b) in accordance with the Gambling Commission's Guidance to Licensing Authorities that is in effect at the time the application is considered; (c) reasonably consistent with the licensing objectives and (d) in accordance with this Statement of Principles

The Borough of Dartford lies at the heart of the Thames Gateway and is easily accessible, being located at Junction 1 of the M25 motorway and only 17 miles from London. To the south, the town is by-passed by the A2. The Dartford Tunnels carry northbound traffic under the Thames and the Queen Elizabeth II Bridge takes traffic moving southwards. From the town centre the land rises sharply to residential districts in the east and west. A number of parishes lie to the south and east of the town, each of which has its own centre.



The majority of gambling premises are located in the Town Centre and include three Adult Gaming Centres and several Betting Shops (Bookmakers). There are also Betting Shops found within the parishes and at other locations in the Borough. Additionally, the majority of Public Houses and Members' Clubs have gaming machines which may require permits from Dartford Borough Licensing Authority (the Licensing Authority).

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The Licensing Authority is required by the Gambling Act 2005 to publish a statement of the principles that it proposes to apply when exercising its functions. This statement must be published at least every three years. The statement can also be reviewed from “time to time” and the amended parts re-consulted upon. The statement must then be re-published.

In determining its Gambling Policy Statement, the Licensing Authority must have regard to the Gambling Commission’s Guidance to Licensing Authorities<sup>1</sup> and will give appropriate weight to the views of those it has consulted. The Licensing Authority consulted widely on this Gambling Policy Statement before finalising and publishing it.

The Gambling Act 2005 requires that the following parties be consulted by Licensing Authority:

- The Chief Officer of Police
- 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 Gambling Act 2005

## 2. Consultation

In accordance with the Act, this Gambling Policy Statement has been prepared in consultation with the following parties:

- North Kent Area Commander, North Kent Police
- Neighbouring Authorities
- Bodies designated under section 157 of the Act as ‘Responsible Authorities’
- Person/bodies representative of gambling businesses
- Representatives of persons or business who hold premises licences
- Organisations working with people who are problem gamblers
- Representatives of health care organisations
- Representatives of voluntary and community organisations working with children and young people

The names and addresses of those persons/bodies consulted in the preparation of this Gambling Policy Statement are available on request to the Licensing Authority.

The consultation took place between 01 August 2018 and 12 October 2018. Consultation documents were provided on the Licensing Authority’s website. The full list of comments made, and the consideration by the Licensing Authority of those comments, is available on request to the Licensing Authority.

Appropriate weight has been given to the views of those consulted, and in determining the weight given, the factors the Licensing Authority has taken into account include:

- Who made the representations, including their expertise or interest;
- Relevance of the factors to the licensing objectives;
- How many other people expressed the same or similar views;
- The relevance of the representations, i.e. did they relate to matters the Licensing Authority should take into account.

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<sup>1</sup> 5<sup>th</sup> Edition 2015 updated September 2016

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## 3. Declaration

In producing this Gambling Policy Statement, the Licensing Authority has had regard to:

- The licensing objectives set out in the Gambling Act 2005;
- The guidance issued by the Gambling Commission in March 2015 and updated in September 2016<sup>2</sup>;
- The Gambling Regulation: Licensing Authority handbook issued by the Local Government Association<sup>3</sup>;
- Any relevant Codes of Practice issued by the Gambling Commission;
- Any relevant Regulations issued by the Secretary of State; and
- The response of those consulted on this Gambling Policy Statement.

Nothing in the Gambling Policy Statement overrides the right of any person to make an application, make representations about an application, or apply for a review of a licence.

The Licensing Authority will consider each application on its own merits, in accordance with the statutory requirements of the Gambling Act 2005 and the Gambling Commission's Guidance. However, the Licensing Authority may, if it considers it right to do so, depart from this Gambling Policy Statement and the Gambling Commission's Guidance. Reasons for 'departure' will be clearly explained.

The Licensing Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information, which includes the requirement that the Data Protection Act 2018 will not be contravened. The Licensing Authority will also have regard to any guidance issued by the Gambling Commission on this matter as well as any relevant regulations issued by the Secretary of State.

The Licensing Authority will maintain a register of licences and permits issued under the Gambling Act 2005, together with such other information as may be prescribed. The register and information will be available for inspection by members of the public at all reasonable times. The Licensing Authority will, on the payment of a reasonable fee, provide a copy of an entry in the register, or of information, to a member of the public on request.

Any person wanting information on the content of the register or the cost of a copy of an entry from the register should contact the Licensing Team (see section 15 for contact details).

The Licensing Authority has not passed a resolution under Section 166 of the Gambling Act 2005 excluding the issue of casino licences. Should the Licensing Authority decide in the future to pass a 'no casino' resolution, it will update this Gambling Policy Statement with details of that resolution.

In carrying out its functions under the Gambling Act 2005, the Licensing Authority has regard to the Human Rights Act 1998, and in particular:

- Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest;
- Article 6 – right to a fair hearing;
- Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life; and
- Article 10 – right to freedom of expression.

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## **4. Licensing Objectives**

This section provides additional information in relation to the principles the Licensing Authority will apply in the promotion of the three licensing objectives.

### **Objective 1 - 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 acknowledges that the Gambling Commission plays a leading role in preventing gambling from being a source of crime. If during the course of considering a Premises Licence application, or at any other time, the Licensing Authority receives information that causes it to question the suitability of the applicant to hold a licence, these concerns will be brought to the attention of the Gambling Commission without delay.

The Licensing Authority will consider the location of premises in the context of this licensing objective. For example, if an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime, the Licensing Authority will consider what (if any) controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence, such as a requirement for door supervisors.

The Licensing Authority notes that in the case of Premises Licences, disorder is intended to mean activity that is more serious and disruptive than nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it. However, the Licensing Authority may use other powers to deal with premises that are causing a nuisance.

Should there be persistent or serious disorder problems that an operator could or should do more to prevent; the Licensing Authority will bring this to the attention of the Gambling Commission so that it can consider the continuing suitability of the operator to hold an operating licence. In addition, the Licensing Authority has the ability to review licences

In relation to preventing disorder, the Licensing Authority does have the ability under section 169 of the Gambling Act 2005, to impose licence conditions.

### **Objective 2 - Ensuring that gambling is conducted in a fair and open way**

The Licensing Authority acknowledges that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be a matter for either the management of the gambling business, and therefore subject to an operating licence, or the individual and therefore subject to a personal licence.

The Licensing Authority will however have a role to play in respect of the licensing of tracks, as the track operator will not necessarily have an operating licence issued by the Gambling Commission. In such instances, the Licensing Authority may consider the imposition of conditions on the Premises Licence to ensure that the environment in which the betting takes place is suitable.

The Licensing Authority has noted that the Gambling Commission will achieve the promotion of this objective by working to ensure that:

- Operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
- Easily understandable information is made available by operators to players about, for example: the rules of the game, the probability of losing or winning, and the terms and

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- conditions on which business is conducted;
- The rules are fair;
- Advertising is not misleading;
- The results of events and competitions on which commercial gambling takes place are made public; and
- Machines, equipment and software used to produce the outcome of games meet standards set by the Commission and operate as advertised.

The Licensing Authority will bring any concerns it may have over the promotion of this objective to the attention of the Gambling Commission so that it can consider the continuing suitability of the operator to hold an operating licence, or individual to hold a personal licence.

## **Objective 3 - Protecting children and other vulnerable people from being harmed or exploited by gambling**

The Licensing Authority understands that, with limited exceptions, the intention of the Gambling Act 2005 is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises, which are adult-only environments. Furthermore, the Licensing Authority acknowledges that the objective in relation to children is explicitly to protect them from being “harmed or exploited by gambling”; and that this requires there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

In carrying out its function under the Gambling Act 2005, the Licensing Authority will consider whether specific measures will be needed to protect children on particular categories of premises. This may include requirements such as supervision of entrances; segregation of gambling from areas frequented by children and supervision of gaming machines in licensed family entertainment centres (FECs). These considerations will also be particularly relevant on tracks (where children will be permitted in the betting areas on race-days).

To assist those licensed premises that are subject to a mandatory condition that prohibits entry to persons under the age of 18, the Licensing Authority would recommend that, as a minimum, a ‘Challenge 21’ policy is in operation. This means that whilst persons who are aged 18 or over may be permitted entry to the premises, any person who appears under the age of 21 is challenged and required to provide appropriate ID. Appropriate ID is either a passport, photo driving licence or a photo ID card bearing the PASS hologram.

The Licensing Authority will consider, in relation to particular premises, whether any special considerations apply in relation to the protection of “vulnerable persons”. Any such considerations will be balanced against the Licensing Authority’s aim to permit the use of premises for gambling. In making such considerations, the Licensing Authority will have regard to the fact that whilst the Gambling Commission has not defined “vulnerable persons”, it has for regulatory purposes, assumed that this group includes people who:

- gamble more than they want to;
- people who gamble beyond their means; and
- may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

The Licensing Authority will consider the location of premises in the context of this licensing objective. For example, the proximity of gambling premises to schools and vulnerable adult centres, or to residential areas where there may be a high concentration of families with children.

Problem gambling can have a detrimental effect on personal finances as the attempt to chase losses becomes unmanageable. As well as spending wages, savings and spare cash, debts can

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also be a feature of problem gambling as a result of borrowings and loans to cover gambling loses. However, the effects of problem gambling can cost more than money. Problem gamblers often say they feel isolated as a result of their solitary pursuits of chasing loses. There is a tendency to stay away from school, college or work in order to gamble. In addition, there is often a preoccupation with gambling, a lack of interest in maintaining relationships and a lack of motivation to engage in social activities. There is often reluctance amongst gamblers to spend money on items of clothing or household goods as this expenditure is often seen as funds for gambling. There can also be an unwillingness to pay utility bills, as money would rather be used for gambling purposes. Problem gambling can be progressive in nature and problem gamblers can end up engaging in criminal activity to fund their gambling. This can lead to lifelong consequences with criminal convictions.

## 5. Casinos

**No Casinos resolution** – Section 166 of the Gambling Act 2005 gives a licensing authority the ability to resolve not to issue casino Premises Licences. The Licensing Authority has **not** passed a ‘no casino’ resolution. Should the Licensing Authority decide in the future to pass such a resolution, it will update this Gambling Policy Statement with details of that resolution.

## 6. Functions under the Gambling Policy

‘Gambling’ is defined in the Gambling Act 2005 as either, gaming, betting or taking part in a lottery.

- ‘Gaming’ means playing a game of chance for a prize;
- ‘Betting’ means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not;
- A ‘lottery’ is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process, which relies wholly on chance.

The Gambling Act 2005 provides for three categories of licences:

- Operating Licences;
- Personal Licences; and
- Premises Licences.

The Licensing Authority will be responsible for issuing Premises Licences and the Gambling Commission for issuing Operating and Personal Licences. Licensing remote gambling falls to the Gambling Commission, via an Operator’s Licence.

The main function of the Licensing Authority under the Gambling Act 2005 is to:

- Licence premises for gambling activities
- Grant permits for gambling and gaming machines in clubs
- Regulate gaming and gaming machines in alcohol licensed premises
- Grant permits to family entertainment centres for the use of certain lower stake gaming machines
- Grant permits for prize gaming
- Consider notices given for the temporary use of premises for gaming
- Consider occasional use notices for betting at tracks
- Register small societies lotteries

Premises Licences granted by the Licensing Authority may authorise the provision of facilities on:

- Casino premises;



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- Bingo premises;
- Betting premises, including tracks;
- Adult gaming centres; and
- Family entertainment centres.

Except in the case of tracks, Premises Licences may only be issued to people with a relevant Operating Licence granted by the Gambling Commission. Premises Licences are transferable to someone else holding a valid Operating Licence. The Licensing Authority may attach conditions to Premises Licences.

Other forms of authorisation issued by the Licensing Authority may include authorising the temporary use of premises, occasional use notices, five different sorts of permit for unlicensed family entertainment centres, prize gaming, gaming machines on alcohol-licensed premises, club gaming and club gaming machines.

Application forms and information on application fees is available on the Licensing Authority's website [www.dartford.gov.uk](http://www.dartford.gov.uk)

## 7. Local Risk Assessments

The '*Licence Conditions and Codes of Practice (LCCP)*'<sup>4</sup> issued by the Gambling Commission formalises the need for operators to consider local risks. As part of the application process, licensees are required to submit a local risk assessment when applying for a new Premises Licence.

From April 2016, the '*Social responsibility (SR) Code 10.1.1*' (issued by the Gambling Commission) will require existing licence holders to assess individual premises in order to identify any local risk that gambling facilities may pose on the promotion of the licensing objectives and to have policies, procedures and control measures to mitigate those risks.

Licence holders will also be required to update an assessment:

- when applying for a variation of a Premises Licence;
- to take account of significant changes in local circumstances, including those identified in a licensing authority's gambling policy statement; and
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

Applicants for a new grant Premises Licence will need to undertake a local risk assessment. For example, if the premises has a problem with crime in betting shops the risk assessment should include Maglocks, staff working double crewed, full CCTV retained for 28 days and made available to Police and Council officers on request.

The Licensing Authority may require that risk assessments compiled at the time of applying for a new grant, or for a variation, of a Premises Licence, be shared with it. Where the Licensing Authority has concerns over new or existing risks, it may require a licensee to share their risk assessment with it. By adopting this proactive approach, the Licensing Authority and licensees should be able to reduce the occasions on which a premises review is required.

The Licensing Authority expects an applicant or licence holder, when carrying out their risk assessment, to primarily concentrate on the steps they intend to take, so as to promote the licensing objectives. These steps might include:

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<sup>4</sup> February 2015 and updated April 2015

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- details of training policies and training undertaken by staff
- information of age verification procedure and how refusals to serve / admit on age grounds are recorded
- location of age restricted gaming machines
- keeping an 'incident' book and recording relevant incidents in or outside the premises, e.g. anti-social behaviour
- approach to managing self-exclusion
- involvement/impact of any work in local schemes or partnership working with other local businesses

The above list is not exhaustive - it merely provides examples of matters that may be relevant to the promotion of the licensing objectives.

The Licensing Authority has not undertaken any local area assessments. The local neighbourhood police team will be able to provide current information on any crime and disorder or anti-social behaviour issues occurring in the local of an applicant or licensed premises.

## **8. Responsible Authorities**

Responsible Authorities are public bodies that must be notified of applications and that are entitled to make representations to the Licensing Authority in relation to applications for, and in relation to, Premises Licences. All representations made by Responsible Authorities are likely to be relevant representations if they relate to the licensing objectives.

Section 157 of the Gambling Act 2005 identifies the bodies that are to be treated as Responsible Authorities. They are:

- a licensing authority in England and Wales in whose area the premises is wholly/partly situated;
- the Gambling Commission;
- the Chief Officer of Police/Chief Constable for the area in which the premises is wholly or partially situated;
- the Fire and Rescue authority for the same area;
- in England and Wales, the local planning authority;
- an authority which has functions in relation to pollution to the environment or harm to human health;
- anybody, designated in writing by the licensing authority as competent to advise about the protection of children from harm;
- HM Revenue & Customs; and
- any other person prescribed in regulations by the Secretary of State.

In exercising its powers under Section 157(h) of the Gambling Act 2005 to designate, in writing, a body which is competent to advise it about the protection of children from harm, the following principles have been applied by 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 vested interest group etc.

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In accordance with the Gambling Commission's Guidance for Licensing Authorities, the Licensing Authority designates the following for this purpose:

Kent Social Services  
Civic Centre  
Home Gardens  
Dartford  
Kent  
DA1 1DR

The contact details of all the responsible bodies under the Gambling Act 2005 are listed at Appendix 3 and are also available via the Licensing Authority's website at: [www.dartford.gov.uk](http://www.dartford.gov.uk).

## 9. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as someone who, in the opinion of the licensing authority which issues the licence or to which the application is made, -

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy paragraph (a) or (b)".

Interested parties can be persons who are democratically elected such as Councillors and Members of Parliament. No specific evidence of being asked to represent an interested person will be required, as long as the Councillor or Member of Parliament represents the ward likely to be affected. Other than these however, the Licensing Authority will generally require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons requesting the representation is sufficient.

The Licensing Authority will view trade associations, trade unions, residents' and tenants' associations as interested parties only if they have a member who lives sufficiently close to the premises to be likely to be affected by the authorised activities.

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The overriding principle is that each case will be decided upon its merits. The Licensing Authority will not apply a rigid rule to its decision-making. The factors that the Licensing Authority may take into account when determining what 'sufficiently close to the premises' means (in each case) might include:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- the nature of the complainant. This is not 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 would be reasonable for the Licensing 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 hostel for vulnerable adults.

In determining whether a person with business interests might be affected by the premises, the factors likely to be relevant include:

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- the size of the premises
- the 'catchment' area of the premises (i.e. how far people travel to visit); and
- whether the person making the representation has business interests in that catchment area that might be affected.

The Gambling Commission has emphasised to licensing authorities, that 'demand' cannot be a factor in decisions.

Moral objections to gambling are not a valid reason to reject applications for Premises Licences. This is because such objections do not relate to the licensing objectives (Gambling Commission's Guidance to Licensing Authorities para 5.28). All objections must be in line with the licensing objectives.

## 10. Exchange of Information

Under the Data Protection Act 2018, the Licensing Authority collects and uses personal information where it is necessary:

- for compliance with a legal obligation;
- for the performance of a task in the public interest or in the exercise of official authority vested in the Licensing Authority.

The Licensing Authority also shares personal information (through the Kent & Medway Information Sharing Agreement 2018).

In holding and exchanging information with other bodies during the exercise of its functions under the Gambling Act 2005, the Licensing Authority will act in accordance with the provisions of the Data Protection Act 2018 and the requirements of the Freedom of Information Act 2000.

The Licensing Authority will have regard to any guidance issued by the Gambling Commission on this matter as well as any relevant regulations issued by the Secretary of State.

## 11. Enforcement

The main enforcement and compliance role for the Licensing Authority will be to ensure compliance with licences and permits issued by it and any conditions attached to them, including compliance with relevant codes of practice, dealing with temporary permissions and registration of small lotteries.

The Licensing Authority is required by the Gambling Act 2005 to state the principles to be applied by it in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act, to institute criminal proceedings in respect of the offences specified.

The Kent & Medway Licensing Steering Group has formulated an Enforcement Protocol which each Licensing Authority and Responsible Authority has agreed. The purpose of this protocol is to facilitate co-operation and co-ordination between enforcement agencies in pursuance of both the Gambling Act 2005 and the Licensing Act 2003. The protocol underpins the mutual operational support required to tackle licensing issues.

The Licensing Authority's approach to regulatory inspection and enforcement will be in accordance with the Regulators' Code<sup>5</sup> as follows:

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

The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The Licensing Authority will comply with the codes of practices developed by the Crown Prosecution Service in the management of criminal cases.

The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Licensing Authority a single named point of contact, who should be a senior individual, and whom the Licensing Authority will contact first, should any compliance queries or issues arise.

The Gambling Commission will be the enforcement body for the Operator and Personal Licences and be responsible for compliance as regards unlicensed premises.

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## Appendix 1

In this Appendix, the Licensing Authority set out how it will comply with the Gambling Commission's Guidance for Licensing Authorities extracts of which are in italics:

*“The licensing authority should set out in its statement what factors it may take into account when considering applications for premises licences, permits and other permission and matters that it will consider when determining whether to review a licence. The licensing authority will take into account considerations such as the proximity of gambling premises to schools and vulnerable adult centres, or to residential areas where there may be a high concentration of families with children and should be detailed (where they are relevant). Any such policy must, however, come with the qualification that each case will be decided on its merits, so if an applicant can show how they might overcome licensing objective concerns, that will have to be taken into account.” (6.32)*

### 1. Permits

#### **(i) Unlicensed Family Entertainment Centre (FEC) gaming machine permits: (Statement of Principles on Permits - Schedule 10 paragraph 7)**

This policy applies to those premises that are proposed to be used as Unlicensed Family Entertainment Centres (uFEC's). uFEC's are premises primarily used for making gaming machines available that offer only Category D gaming machines. A uFEC permit allows any number of these machines to be made available at the premises (subject to other considerations such as health and safety and fire regulations). Given that Category D machines have no age restrictions, these premises particularly appeal to children and young persons. Therefore, the Licensing Authority will give particular weight to matters relating to child protection issues.

The Licensing Authority will grant an application for a permit only if it is satisfied that the premises are used wholly or mainly for making gaming machines available for use, and following consultation with the Police.

The Licensing Authority will not grant uFEC permits where the premises are not primarily used for making gaming machines available for use in accordance with section 238 of the Gambling Act 2005. This will preclude granting permits to lobbies in shopping centres or motorway service areas for example.

In cases where an existing uFEC permit has been granted to premises not primarily used for making gaming machines available, the Licensing Authority shall refuse to renew such permits.

Applicants for uFEC permits are expected to provide a scale plan of the premises with their application showing entrances/exits, location of CCTV cameras, cash desk, and machine locations as well as other features such as a bowling alley for example or play area which may form part of the premises.

The Licensing Authority will require applicants to demonstrate as a minimum:

- a full understanding of the maximum stakes and prizes of gambling that is permissible in unlicensed FECs;
- that problem gambling information will be provided in the premises commensurate with its size and layout;
- that the applicant has a written policy in place to deal with complaints and disputes which can be given to a customer on request;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- that staff are trained to recognise problem gambling and signpost a customer to problem gambling information;
- that there is no direct access from the uFEC to an AGC or a licensed FEC area where adult

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- only gaming machines are provided;
- that staff have been trained in how to deal with complaints and disputes in line with the applicant's policy.

The Licensing Authority will expect the applicant to show there are policies and procedures in place to protect children and vulnerable people from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include:

- measures/training for staff regarding suspected truant school children on the premises;
- measures/training covering how staff will deal with unsupervised very young children being on the premises;
- measures/training covering how staff would deal with children causing perceived problems on or around the premises.

With regard to renewals of these permits, the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

## **(ii) (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))**

### **Automatic entitlement to two gaming machines**

Premises licensed to sell alcohol on the premises under the Licensing Act 2003 are automatically entitled to provide two gaming machines of Category C and/or D. The holder of the Premises Licence under the Licensing Act 2003 must notify the Licensing Authority of their intention to make the gaming machines available for use and must pay the prescribed fee.

This entitlement only relates to premises with a Licensing Act 2003 Premises Licence that authorises the sale of alcohol for consumption on the premises and which contain a bar at which alcohol is served without the requirement that alcohol is only sold ancillary to the provision of food.

Licensees siting gaming machines must comply with the relevant Gambling Commission Code of Practice.

Licensees must be aware that gaming machines can only be supplied by a person holding an Operating Licence from the Gambling Commission enabling them to do this. A register of licensed suppliers can be found on the Gambling Commission's website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).

In the event that the relevant authorisation under the Licensing Act 2003 is transferred, lapses or is revoked, the automatic entitlement to two gaming machines ceases to have effect and a new notification will need to be served on the Licensing Authority.

The Licensing Authority will remove the automatic authorisation in respect of any particular premises if:

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

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- an offence under the Gambling Act has been committed on the premises.

## **Permit for three or more gaming machines**

This policy applies to alcohol licensed premises that propose to have three or more gaming machines. Licensed premises wishing to have three or more gaming machines of Category C or D must apply to the Licensing Authority for a permit. This permit will replace the automatic entitlement to two gaming machines rather than be in addition to it and the holder must comply with the relevant Gambling Commission Code of Practice.

As gaming machines provide opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, on considering an application, will consider whether granting a permit would be appropriate on a case by case basis, but will specifically have regard to:

- the need to protect children and vulnerable people from harm or being exploited by gambling;
- measures taken by the applicant to satisfy the Licensing Authority that there are sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines;
- whether the applicant has an effective policy in place for handling customer complaints or disputes about the gaming machines.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures may cover issues such as:

- the adult machines being in the sight of staff who will monitor that the machines are not being used by those under 18 and look for signs of problem gambling, attempts to cheat the machine, or suspected money laundering;
- notices and signage;
- the provision of information leaflets or helpline numbers for organisations who can assist with problem gambling.

If the Licensing Authority is not satisfied that appropriate measures have been taken by the applicant to comply with this policy, it may refuse to grant the permit, or it may vary the number or category of gaming machines authorised by the permit.

The Licensing Authority may cancel a permit or may vary the number or category (or both) of gaming machines authorised by it if:

- (a) it would not be reasonably consistent with pursuit of the licensing objectives for the permit to continue to have effect,
- (b) gaming has taken place on the premises in purported reliance on the permit but otherwise than in accordance with the permit or a condition of the permit,
- (c) the premises are mainly used or to be used for making gaming machines available, or,
- (d) an offence under the Gambling Act 2005 has been committed on the premises.

Before the Licensing Authority cancels or varies a permit it will give the permit holder 21 days' notice of its intention and allow him/her the opportunity to make a representation. If the permit holder requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the permit holder's representation and any other evidence available before making its determination.



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When determining an application for an alcohol-licensed premises gaming machine permit, the Licensing Authority will consider each application on its own merits.

## **(iv) Club Gaming and Club Machines Permits**

Members' Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

*"Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."* (25.6)

*"Before granting the permit the authority will need to satisfy itself that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18."*(25.17)

The Licensing Authority may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Gambling Commission or the police (*Gambling Commission's Guidance for Local Authorities 25.40*)

It should be noted that there is a 'fast-track' procedure available for premises that hold a Club Premises Certificate under the Licensing Act 2003. *"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced"* and *"The grounds on which an application under the process may be refused are:*

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;*
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or*
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."*

There are statutory conditions on club gaming permits that no child uses a category B3A, B4 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.

The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- is the primary activity of the club something other than gaming?
- are the club's profits retained solely for the benefit of the club's members?

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- are there 25 or more members?
- are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
- do members participate in the activities of the club via the internet?
- do guest arrangements link each guest to a member?
- is the 48 hour rule being applying for membership and being granted admission being adhered to?
- are there annual club accounts available for more than one year?
- how is the club advertised and listed in directories and on the internet?
- are children permitted in the club?
- does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- is there a list of Committee members and evidence of their election by the club members?

When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limits.

## **(v) Small Society Lotteries**

The Gambling Act 2005 provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

## **Definition of lottery**

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A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, under s.14 of the Gambling Act 2005.

An arrangement is a simple lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a process which relies wholly on chance.

An arrangement is a complex lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a series of processes
- the first of those processes relies wholly on chance.

## Definition of society

A 'society' is the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted. Section 19 of the Gambling Act 2005 defines a society as such if it is established and conducted:

- for charitable purposes, as defined in s.2 of the Charities Act 2006
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
- for any other non-commercial purpose other than that of private gain.

It is inherent in this definition that the society must have been established for one of the permitted purposes as set out in s.19 of the Act, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

Participation in a lottery is a form of gambling. Lotteries must be conducted in a socially responsible manner and in accordance with the Act.

The minimum age for participation in a lottery is sixteen. The holder of a small society lottery registration must take reasonable steps to ensure that all those engaged in the promotion of their lottery understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

## External Lottery Managers

External lottery managers (ELM's) are required to hold a lottery operator's licence issued by the Gambling Commission to promote a lottery on behalf of a licensed society.

However, individuals or firms can and do provide services to a society or local authority lottery without assuming the role of an ELM. When determining whether a third party is a 'service provider' only, or has assumed the role of an ELM, the degree of management undertaken by both the promoter and the sub-contractor will be crucial factors. Key indicators will include:

- who decides how the lottery scheme will operate
- who appoints and manages any sub-contractors
- the banking arrangements for handling the proceeds of the lottery

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- who sells the tickets and pays the prizes
- who controls promotional aspects of the lottery.

Societies employing an unlicensed ELM may be committing an offence and they will need to satisfy themselves that any ELM they employ holds the relevant operator's licence issued by the Commission. The Commission publishes a register of operating licences on its website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).

## Lottery Tickets

Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:

- the name of the promoting society
- the price of the ticket, which must be the same for all tickets (e.g. there can be no option to 'buy two tickets, get one free')
- the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries or, if there is one, the ELM
- the date of the draw, or information which enables the date to be determined.

The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.

The society should maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw. The Licensing Authority may wish to inspect the records of the lottery for any purpose related to the lottery.

## Where tickets may be sold

The Licensing Authority expects holders of small society lottery registrations not to sell lottery tickets to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Tickets may, however, be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence, in order to do this.

## Prizes

Prizes awarded in small society lotteries can be either cash or non-monetary. Prizes declared on returns must not exceed the limits on prizes set out by the Act - in effect that combined with any expenses incurred with the running of the lottery, such as managers' fees, they must not comprise more than 80% of the total proceeds of the lottery. Donated prizes would not be counted as part of this 80% (as no money would be withdrawn from the proceeds to cover their purchase) but are still subject to the limit on a single maximum prize of £25,000 and should be declared on the return following the lottery draw.

Alcohol should not be offered as a prize in a lottery without the society first ensuring that no Licensing Act 2003 consent is required for this from the Licensing Authority. If such consent is required, then alcohol shall not be offered as a prize unless such consent has been obtained.

## Small society registration

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The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a Licensing Authority. Parts 4 and 5 of Schedule 11 of the Act set out the requirements on both societies and Licensing Authorities with respect to the registration of small society lotteries.

The Licensing Authority with which a small society lottery is required to register must be in the area where their principal office is located.

Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application. This information shall include a copy of the society's terms and conditions and their constitution to establish that they are a non-commercial society.

Societies may not circumvent the requirement to hold a Gambling Commission Lottery Operating Licence by obtaining two or more registrations with the same or different Licensing Authorities. As set out previously, the Act states that a society lottery is a large lottery if the arrangements for it are such that its proceeds may exceed £20,000 in a single lottery, or if the aggregate proceeds in a calendar year exceed £250,000.

In cases where a society has separate branches with different aims and objectives, it is acceptable for them to hold more than one licence or registration. However, in cases where a society holds more than one registration and the aims and objectives of those societies are the same, this may constitute a breach of the threshold limits for small society lotteries set out in Schedule 11 of the Act.

By virtue of Schedule 11 paragraph 31(5) of the Act, societies may not hold an Operating Licence with the Gambling Commission and a local authority registration with the same aims and objectives at the same time. This paragraph also provides for a statutory period of three years during which a large society cannot convert to small society status.

Registrations run for an unlimited period, unless the registration is cancelled.

## **Refusal of registration**

The Licensing Authority may propose to refuse an application for any of the following reasons:

- An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years. The Commission will be able to advise the details of people and organisations that have been refused an operating licence or have had an operating licence revoked in the past five years. Licensing Authorities should consult the Commission as part of their consideration process.
- The society in question cannot be deemed non-commercial.
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act.
- Information provided in or with the application for registration is found to be false or misleading.

The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. These can be taken at a formal hearing or via correspondence. The Licensing Authority shall inform the society of the reasons why it is minded to refuse registration and provide it with at least an outline of the evidence on which it has reached that preliminary conclusion, in order to enable representations to be made.

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## Revocation of a small society's registered status

The Licensing Authority may revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and provide them with the evidence on which it has reached that preliminary conclusion.

## Administration and returns

The Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not comply with these limits it will be in breach of the Act's provisions, and consequently be liable to prosecution.

The limits are as follows:

- at least 20% of the lottery proceeds must be applied to the purposes of the society (Schedule 11, paragraph 33)
- no single prize may be worth more than £25,000 (Schedule 11, paragraph 34)
- rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000 (Schedule 11, paragraph 35)
- every ticket in the lottery must cost the same and the society must take payment for the ticket fee before entry into the draw is allowed (Schedule 11, paragraph 37).

Paragraph 39 of Schedule 11 in the Act sets out the information that the promoting society of a small society lottery must send as returns to the Licensing Authority with which it is registered, following each lottery held. This information allows Licensing Authorities to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose. The following information must be submitted:

- the arrangements for the lottery - specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover
- the total proceeds of the lottery
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

Paragraph 39 of Schedule 11 in the Act also requires that returns must:

- be sent to the Licensing Authority no later than three months after the date of the lottery draw, or in the case of 'instant lotteries' (scratchcards) within three months of the last date on which tickets were on sale
- be signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged 18 or older, are appointed for the purpose in writing by the

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society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

The Gambling Commission may inspect a society's returns, although it will not routinely do so. The Licensing Authority is required to retain returns for a minimum period of three years from the date of the lottery draw. They must also make them available for inspection by the general public for a minimum period of 18 months following the date of the lottery draw. Returns can be viewed at the Dartford Borough Council Offices.

The Licensing Authority will monitor the cumulative totals of returns to ensure that societies do not breach the annual monetary limit of £250,000 on ticket sales. The Licensing Authority must notify the Commission if returns reveal that a society's lotteries have exceeded the values permissible, and such notifications will be copied to the society in question. The Gambling Commission will contact the society to determine if they are going to apply for a lottery operator's licence, thereby enabling them to run large society lotteries lawfully, and will inform the Licensing Authority of the outcome of its exchanges with the society.

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## Appendix 2

### 2. Premises Licences

**(i) Decision making - general:** Premises Licences will be subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be 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 believed to be appropriate and evidence supports the need for additional conditions.

The Licensing Authority is aware that in making decisions about Premises Licences, it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with its Gambling Policy Statement.

*“Conditions imposed by the licensing authority must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions:*

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

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types that follow. The Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple Premises Licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in a non-adult gambling specific premises in order to pursue the licensing objectives.

The Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder;
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18 years;
- at the entrance to and inside any such areas overt advertising is not displayed;
- to operate with doors closed.



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These conditions will apply to premises including buildings where multiple Premises Licences are applicable.

There are also conditions which the Licensing Authority cannot attach to Premises Licences which are:

- any condition on the Premises Licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated ) and
- conditions in relation to stakes, fees, winning or prizes

The Gambling Commission has also emphasised to local authorities, that 'demand' cannot be a factor in decisions.

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

The Licensing Authority will have regard to the following:

*"In considering applications for multiple licences for a building or those for a specific part of the building to be licensed, licensing authorities "should be aware that:*

- *the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also that they are not permitted to be in close proximity to gambling. Therefore premises should be configured so that children are not invited to; participate in, have accidental access to, or closely observe gambling where they are prohibited from participating;*
- *entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.". In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.*
- *Customers should be able to participate in the activity named on the premises licence".(7.18)*

*"Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act."*

It should be noted that an applicant cannot obtain a full Premises Licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. The Licensing Authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a Premises Licence. The Gambling Commission emphasises that requiring the building to be

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complete ensures that the authority can, if necessary, inspect it fully, as can other Responsible Authorities with inspection rights.

## **Split Premises**

The Gambling Commission's Guidance states that a building can, in principle, be divided into more than one premises and be subject to more than one Premises Licence provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. An example is given of units within a shopping mall, where each unit is separate self-contained premises contained within one building. It is also possible for licensed premises to be located next to each other.

The Gambling Commission state they do 'not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises'.

Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a licence for a building which has been divided, the Licensing Authority will need to be satisfied the premises are genuinely separate premises, and not an artificially created additional part of single premises.

In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:

- whether there are separate registrations for business rates in place for each premises;
- whether separate sets of staff work in the individual premises;
- whether there is a separate cash desk/reception for each of the premises;
- whether each premises has its own postal address;
- whether the premises are owned or operated by the same person;
- whether each of the premises can be accessed from a street or public passageway;
- whether the premises can only be accessed from any other gambling premises.

When considering proposals to divide a building into separate premises, the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.

The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another.

It may be acceptable for staff working in adjacent premises to have access through barriers between premises. The applicant must demonstrate that in providing staff access there are suitable control measures in place that will ensure the safety and security of staff and will prevent the public from using the same access point to enter the other premises.

The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions relating to access between premises.

The Guidance at paragraph 7.22 states "There is no definition of 'direct access' in the Act or Regulations, but Licensing Authorities may consider that there should be an area separating the premises concerned (for

# GAMBLING POLICY STATEMENT

example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access.”

It is the Licensing Authority’s opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.

The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or cashpoint machines.

Where the Licensing Authority is satisfied that a building can be divided into separate premises it will expect applicants to ensure that:

- the premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part;
- the premises are not configured so children are likely to enter an adult only area to join a parent gambling in that adult only area,
- entrances and exits from parts of a building covered by one or more Premises Licences are separate and identifiable so the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit;
- customers should be able to participate in the activity named on the Premises Licence.

This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

**(iii) Location:** The Licensing Authority will have regard to the following:

*“Licensing authorities will need to consider the location of premises within the context of this<sup>6</sup> licensing objective. If an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime, for example, licensing authorities should think about what (if any) controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence.”*

*“For example, a licensing authority statement of policy could and should, set out the general principles that the licensing authority will apply when determining whether the location of proposed gambling premises is acceptable (with or without conditions) in light of the licensing objectives. For example, a licensing authority statement of policy might set out that the authority will consider very carefully whether applications for premises licence in respect of certain gambling premises located very close to a school, or a centre for gambling addicts should be granted in light of the third licensing objective. Any such policy must, however, come with the qualification that each case will be decided on its merits, and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. If an applicant for a premises licence can show how licensing objective concerns can be overcome, that will have to be taken into account.” (6.12)*

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<sup>6</sup> Preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

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**(iv) Planning:** Planning and licensing are different regulatory systems and will be dealt with separately.

*“When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 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.”*

The Licensing Authority will listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions such as the primary use of the premises and/or the permitted hours of operation.

**(v) Duplication:** The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

**(vi) Door Supervisors:**

*“Licensing authorities may require persons operating premises in which gambling takes place to take measures such as the supervision of entrances; segregation of gambling from non-gambling areas frequented by children (assuming such non-gambling areas are compatible with requirements of the Act); and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.”*

*“Any person employed to fulfil a condition on a premises licence that requires door supervision should hold a relevant licence issued by the Security Industry Authority (SIA).”*

Door supervisors at licensed casino or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where the Licensing Authority has imposed door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act. However where a casino or bingo premises are licensed for the sale of alcohol under the Licensing Act 2003 then Door Supervisors employed are required to be licensed by the SIA under the PSIA Act 2001 to enable them to perform their functions under that Act. In all other instances, the Door Supervisors must, as a minimum, be trained to the Level 2 National Standard for Door Supervision.

There is no evidence that the operation of betting offices or adult gaming centres has required door supervisors for the protection of the public. The Licensing Authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

**(viii) Reviews:** Interested parties or Responsible Authorities can make requests for a review of a Premises Licence; however, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the following matters:

- it is in accordance with any relevant code of practice issued by the Gambling Commission
- it is in accordance with any relevant guidance issued by the Gambling Commission
- it is reasonably consistent with the licensing objectives and
- it is in accordance with the Licensing Authority’s Gambling Policy Statement

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as well as consideration as to whether the request is frivolous, vexatious, or would certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The Licensing Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

**(ix) Provisional Statements:** The Licensing Authority will have regard to the following:

*“As the Court has held in a 2008 case, operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and licensing authorities are required to determine any such applications on their merits. Such cases should be considered in a two stage process; first, licensing authorities must decide whether, as a matter of substance after applying the principles in section 153 of the Act, the premises ought to be permitted to be used for gambling; second, in deciding whether or not to grant the application a licensing authority will need to consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place. An authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.” (7.61)*

*“If a provisional statement has been granted, the licensing authority is constrained in the matters it can consider when an application for a premise is made subsequently in relation to the same premises. No further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:*

- (a) which could not have been raised by objectors at the provisional licence stage; or*
- (b) which, in the authority’s opinion, reflect a change in the operator’s circumstances*
- (c) Where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and licensing authorities should discuss any concerns they have with the applicant before making a decision”. (11.7,11.8 and 11.9)*

*“A licensing authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.”*

**(x) Adult Gaming Centres (AGC):**

*“No-one under the age of 18 is permitted to enter an AGC. Licensing authorities will wish to have particular regard to the location of an entry to AGC’s to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised and an AGC is in a complex, such as a shopping centre or airport.”*

The Licensing Authority will 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, for example, ensure that under 18 year olds do not have access to the premises.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. However appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes;
- CCTV;

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- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-barring schemes;
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is neither mandatory, nor exhaustive and is merely indicative of example measures.

## **(xi) (Licensed) Family Entertainment Centres:**

Family Entertainment Centres are wholly or mainly used for having gaming machines available for use.

The Licensing Authority will 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, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the 'adult only' gaming machine areas.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

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

This list is neither mandatory, nor exhaustive and is merely indicative of example measures.

The Licensing Authority will refer to the Gambling Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. The Licensing Authority will also make itself aware of any mandatory or default conditions applying to Premises Licences.

**(xii) Tracks:** Although there are currently no tracks within the Licensing Authority's area, for completeness of this Gambling Policy Statement, the Licensing Authority will have regard to:

- *“Only one premises licence may be issued for any particular premises at any time....There is one exception to this rule, namely a track (i.e. a horse race course, dog track or other premises where races or sporting events take place), which may be subject to more than one premises licence, provided each licence relates to a specified area of the track... The Act set out that there will be a main (betting premises) licence for the track, and in addition subsidiary premises licences for other gambling activities may be issued. The normal limitations in terms of access by children and young persons will apply, although in relation to a premises licence in respect of a track, children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place. This is subject to the rule that children and young persons may not enter any areas where gaming machines (other than category D machines) are provided...In principle there is no reason why all types of*

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*gambling should not co-exist upon a track, but authorities will want to think about how a third licensing objective is delivered by the co-location of premises. As with the granting of multiple licence in a single building, licensing authorities will need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.”*

- *“Premises licences in relation to tracks are unusual in that, because the track operator does not need to have an operating licence (although may have one), the premises licence will need to contain requirements on the premises licence holder about his responsibilities in relation to the proper conduct of betting. The conduct of the betting on tracks will be regulated primarily through the operating licences that the persons offering betting on the track will need to hold (whether a general betting operating licence, or a pool betting operating licence). But the track operator will have a role to play in ensuring, for example, that the betting areas are properly administered, and licensing authorities will have an important role in regulating tracks, because of the particular rules surrounding on-course betting, and the sub-division of the track into different areas.”*
- *“Special rules apply to applicants for a premises licence in relation to a track. Most importantly, as noted above, the applicant need not hold an operating licence. That is because, unless the occupier of the track wishes to offer pool betting (or general betting) facilities himself (for which he will need a licence), the betting that is provided upon the track will not be provided by him, but will be provided by other operators who come on-course. Since those people will require the necessary operating licences, the Act allows the track operator to obtain a premises licence without also having to hold an operating licence. This track premises licences (sic) then authorises anyone upon the premises with an operating licence to offer betting facilities.”*
- *“The secondary aspect to this rule is that each individual operator who comes onto the track on race days does not need to hold a premises licence. Instead, he will be covered by the umbrella of the premises licence held by the track operator.”*

The Licensing Authority will consider the location of gaming machines at tracks. There is no minimum age for players of category D gaming machines. The holder of any permit or Premises Licence has to comply with the codes of practice issued by the Gambling Commission on the location of and access to gaming machines by children and young persons, and the separation from category C and B machines where those are also located on the same premises.

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

The Licensing Authority has the power under the Gambling Act 2005, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting Premises Licence.

- *“In relation to betting premises away from tracks, the Commission is proposing that licensing authorities should take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. Licensing authorities will want to consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.”*
- *“In the Commission’s view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises”*

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- *“Section 151 of the Act requires applicants for premises licences to submit plans for the premises. To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”) and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities.*
- *“...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.”*

## (xiii) Casinos

**Casinos and Competitive Bidding** – The Licensing Authority is aware that where its area is enabled to grant a Premises Licence for a new style casino (i.e. regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations, the Licensing authority will run a ‘competition’ under Schedule 9 of the Gambling Act 2005.

**Betting Machines in Casinos** – The Licensing Authority will have regard to the following:

*“Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons.”*

**Credit:** The Licensing Authority will have regard to the following:

*“Section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, not make any payment in connection with the machines. Guidance on the further conditions that may apply in relation to such machines will be included in the next version of this guidance”*

**(xiv) Bingo** - The Licensing Authority will have regard to the following:

*“It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category B3, B4 or C machines are available in premises to which children are admitted licensing authorities should ensure that:*

- *all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;*
- *only adults are admitted to the area where the machines are located;*
- *access to the area where the machines are located is supervised;*
- *the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and*



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- *at the entrance to, and inside any such area there are prominently displayed notices indicating that access is prohibited to persons under 18 years.”*

**(xv) Temporary Use Notices:** There are a number of statutory limits as regards Temporary Use Notices. The Licensing Authority will decide what constitutes a ‘set of premises’ where Temporary Use Notices are received relating to the same building/site.

**(xvi) Occasional Use Notices:** - The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

**(xvii) Travelling Fairs:** The Licensing Authority will decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met and there is sufficient supervision of gaming machines in order to pursue the licensing objectives, i.e. the protection of children.

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

The 27-day statutory maximum for the land being used as a fair, is per calendar year, and applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will work with its neighbouring licensing authorities to ensure that land which crosses shared boundaries is monitored so that the statutory limits are not exceeded.

**(xviii) Betting Premises (Bookmakers):** The Licensing Authority will have regard to the following:

**Betting Machines –** *“Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons.”*

**Credit –** *“Section 177 does not prevent the licensee from contracting a third-party to install cash dispensers (ATMs) on their premises, which may accept both credit and debit cards. Such an arrangement is subject to requirements that the premises licence holder has no other commercial connection in relation to gambling with the provider of the ATMs (aside from the agreement to site the machines), does not profit from the arrangement, and does not make any payment in connection with the machines. All premises licences also include a mandatory condition which requires that any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.” (9.12)*

**Information Exchange:** The Licensing Authority will have regard to the following:

- *“As applicants for premises licences (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued, licensing authorities will not need to investigate the suitability of the applicant. If during the course of considering a premises licence application, or at any other time, the licensing authority receives information that causes it to question the suitability of*

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*the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay” (5.10)”*

- *“Regulatory issues rising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. (Though if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.)” (5.13)*
- *“If it comes to the attention of licensing authorities that Alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes and makes it possible that the £2,000 in seven days is being exceeded, authorities should inform the Commission.” (18.18)*

### **GAMCARE:**

(National Association for Gambling Care, Educational Resources and Training)

GamCare provides confidential counselling, advice and information for those affected by a gambling problem.

**HELPLINE: Speak to an adviser on Freephone 0808 8020 133, 8am to midnight, 7 days a week.**

**WEBSITE: [www.gamcare.org.uk](http://www.gamcare.org.uk)**

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Appendix 3

## Responsible Authorities Contact details:

### Licensing Authority:

Dartford Borough Licensing Authority  
Licensing Section  
Civic Centre  
Home Gardens  
Dartford  
DA1 1DR  
[www.dartford.gov.uk](http://www.dartford.gov.uk)  
[licensing@dartford.gov.uk](mailto:licensing@dartford.gov.uk)  
Tel: 01322 343024

### HM Revenue & Customs:

Medvale House  
Moat Road  
Maidstone  
Kent  
ME15 6AE  
[www.gov.uk](http://www.gov.uk)

### Local Planning Authority:

Dartford Borough Licensing Authority  
Planning Department  
Civic Centre  
Home Gardens  
Dartford  
DA1 1DR  
[Planning.admin@dartford.gov.uk](mailto:Planning.admin@dartford.gov.uk)  
Tel: 01322 343434

### Child Protection Service:

[social.services@kent.gov.uk](mailto:social.services@kent.gov.uk)  
Tel: 03000 411111

### Gambling Commission:

Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP  
[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)  
Tel: 0121 230 6500

### Kent Fire & Rescue Service:

Fire Safety Office  
Dartford Fire Station  
Watling Street  
Dartford  
DA2 6EG  
[Dartford.firesafety@kent.fire-uk.org](mailto:Dartford.firesafety@kent.fire-uk.org)  
Tel: 01322 224229

### Environmental Protection/ H&S:

Dartford Borough Licensing Authority  
Environmental Health  
Civic Centre  
Home Gardens  
Dartford  
DA1 1DR  
[Environmental.admin@dartford.gov.uk](mailto:Environmental.admin@dartford.gov.uk)  
Tel: 01322 343434

### Chief Officer of Police for the area in which the premises is wholly or partially situated:

Police Licensing  
Medway Police Station  
Purser Way  
Gillingham  
Kent  
ME7 1NE  
[Licensing.north.division@kent.pnn.police.uk](mailto:Licensing.north.division@kent.pnn.police.uk)  
Tel: 01634 792733

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Appendix 4

## Summary of Licensing Authority's delegations under the Gambling Act 2005

Matter to be dealt with	Full Licensing Authority	Sub-Committee of licensing committee	Officers
Final approval of three year licensing policy	<b>X</b>		
Policy not to permit casinos	<b>X</b>		
Fee setting (where appropriate)			<b>X</b>
Application for Premises Licences		Where representations have been received and not withdrawn	Where no representations received or representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received or representations have been withdrawn
Application for a transfer of a licence		Where representations have been received	Where no representations have been received
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received or representations have been withdrawn
Review of a Premises Licence		<b>X</b>	
Application for a club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made / objections withdrawn
Cancellation of a club gaming/club machine permits		<b>X</b>	
Applications for other permits			<b>X</b>
Cancellation of a licensed premises gaming machines permits			<b>X</b>
Consideration of temporary use notice			<b>X</b>
Decision to give a counter notice to a temporary use notice		<b>X</b>	