

SOUTH HOLLAND DISTRICT COUNCIL
STATEMENT OF PRINCIPLES
Gambling Act 2005

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This Statement of Principles has been drafted at a time when a number of regulations, Operating / Personal Licence conditions, Codes of Practice and guidance are not yet published. Should anything in these impact upon the content of this document it will need to be borne in mind and amended at a later stage, bearing in mind resource implications for the authority. All references to the Gambling Commission's Guidance for local authorities refer to the Guidance published in April 2006.

SOUTH HOLLAND DISTRICT COUNCIL

STATEMENT OF PRINCIPLES – GAMBLING ACT 2005

Part A

1. The Licensing Objectives

1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks fit:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- Consistent with the licensing objectives and
- in accordance with the authority’s statement of licensing policy

2. Introduction

2.1 South Holland District Council, referred to in this statement of principles as “the council”, is situated in the county of Lincolnshire, which contains 7 district councils in total. The council area has a population of 80,700 making it the second smallest district in the County in terms of population. South Holland District covers a geographical area of 74,238 hectares and is situated in the South Eastern corner of Lincolnshire, also bordering the counties of Cambridgeshire and Norfolk. The District is mainly rural but comprises of a total of 47 towns and villages including the main town of Spalding.

- 2.2 The council has worked in partnership with the other councils in the county in preparing this statement of principles, which is based on the draft statement of principles guidance issued by the Department of Culture, Media and Sport (DCMS), the Gambling Commission (the commission) and The Local Authorities Coordinators of Regulatory Services (LACORS).
- 2.3 The council recognises its duties to consider the impact of all its' functions and decisions on crime and disorder under the requirements of Section 17 of the Crime and Disorder Act 1998 in adopting this statement of principles. The council acknowledges the benefits to the community of properly regulating gambling in the district.
- 2.4 The council are the licensing authority for the purpose of the Gambling Act 2005 and any subsequent regulations and guidance. Any such regulations will be consulted on in due course.
- 2.5 The Licensing Act 2003 provides the delegated and procedural arrangements for the establishment of licensing authorities.
- 2.6 Licensing committees were established under Section 6 of the Licensing Act 2003. Therefore, the same committee that deals with applications and other issues in relation to the Licensing Act 2003 will also be responsible for premise licence applications and other issues (i.e. permits) in relation to gambling.
- 2.7 The proceedings of the licensing committee are regulated by Section 9 of the 2003 Act (and regulations made under that section). Particular provision can be made for proceedings in relation to just the 2003 Act functions or just the 2005 Act functions. Any such regulations will be consulted upon in due course.
- 2.8 The functions of the licensing authority under the Act may be carried out by the licensing committee, by a sub-committee or by one or more officers acting under delegated authority. Delegated powers shall be in accordance with the table at Appendix 1.
- 2.9 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles, which they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed as required and any amended parts re-consulted upon, the statement must be then re-published.
- 2.10 The council consulted widely upon this statement of principles before finalising and publishing. A list of the persons consulted is provided, in Appendix 2. It should be noted that unsolicited comments were received from other persons but we have not listed all of these.

- 2.11 The Gambling Act requires that the following parties be consulted by licensing authorities:
- The chief officer of police
 - One or more persons who appear to the authority 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
- 2.12 The consultation took place between 1 July 2006 and 30 September 2006. The authority followed the Revised Code of Practice (which came into effect in April 2004) and the Cabinet Office Guidance on consultations by the public sector. These documents are available via: <http://www.cabinetoffice.gov.uk/regulation/consultation/code/index.asp> <http://www.cabinetoffice.gov.uk/regulation/consultation/documents/pdf/code.pdf>
- 2.13 The statement of principles will be submitted for approval at a meeting of the Licensing Committee on 21 November 2006 and subsequently will be submitted for approval at a meeting of the full council. It will be published via the council's website, shortly after that meeting. Copies of the statement of principles were placed in the public libraries of the area as well as being available in the Council Offices at Priory Road, Spalding.
- 2.14 Should you have any comments as regards this statement of principles please send them via e-mail or letter to the following contact:
- The Licensing Team, South Holland District Council, Priory Road, Spalding, Lincolnshire, PE11 2XE
E-mail: Licensing@sholland.gov.uk or telephone 01775 761161.
- 2.15 It should be noted that this statement of principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- Further information is available on the council's website www.sholland.gov.uk.

3. Declaration

- 3.1 In producing the statement, the licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement of principles.

4. Responsible Authorities

- 4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Lincolnshire Safe Guarding Children's Board for this purpose.

5. Interested parties

- 5.1 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 follows:

"For the purposes of this part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) Has business interests that might be affected by the authorised activities, or
- c) Represents persons who satisfy paragraph (a) or (b) e.g. members of parliament and ward councillors".

- 5.2 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 principles are: to be confirmed by statutory regulations when passed by Parliament.

- 5.3 Each case will be decided upon its merits. The Authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.14 and 8.15. The Authority will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

- 5.4 The Gambling Commission recommended in its Guidance that the licensing authority states that interested parties include trade

associations and trade unions, and residents' and tenants' associations (Gambling Commission guidance for local authorities 8.17). It is understood that the Gambling Commission has subsequently stated that this is a mistake in its Guidance which will be rectified and noted on its website. However, this authority emphasises that it will not generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

- 5.5 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. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 5.6 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the licensing committee dealing with the licence application. If there are any doubts then please contact the licensing department on 01775 761161 or email:licensing@sholland.gov.uk.

6. Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that the licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission for local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available. Discussions with the Gambling Commission and LACORS as regards information exchange between the commission and local authorities are, at the time of writing, at an early stage.
- 6.4 The council is a signatory to the joint protocol on information exchange under the provisions of Section 115 of the Crime and Disorder Act 1998 with the Lincolnshire Police and the Lincolnshire County Council. The council will seek to use that provision as appropriate.

7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

- 7.2 The licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and it will endeavour to be,

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

- 7.3 As per the Gambling Commission's Guidance for local authorities. The licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

- 7.4 The licensing authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme. Whilst the Gambling Commission's Guidance suggests that the criteria the authority will utilise in this respect are included in this statement, this has not been possible. At the time of writing, the Gambling Commission had not published its risk criteria. Regulations are not made, or mandatory or default conditions published, nor Codes of Practice. LACORS is working with the

Gambling Commission to produce a risk model for premises licences and this authority will consider that model once it is made available.

- 7.5 The main enforcement and compliance role for the licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 7.6 The licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 7.7 Bearing in mind the principle of transparency, the licensing authority's enforcement/compliance protocols/written agreements will be available. Requests should be made to the licensing section at South Holland District Council, Priory Road, Spalding. Tel: 01775 761161
- 7.8 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.

8. Licensing Authority functions

8.1 The licensing authority is required under the Act to:

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

- Issue Prize Gaming Permits
 - Receive and endorse Temporary Use Notices
 - Receive Occasional Use Notices
 - Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
 - Maintain registers of the permits and licences that are issued under these functions
- 8.2 It should be noted that local licensing authorities would not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

Part B

Premises licences

1. General Principles

- 1.1 Premises licences will be subject to the requirements 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. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

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 the authority's statement of principles
- 1.2 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.
- 1.3 **Definition of "premises"** - Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building

to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

This licensing authority takes particular note of the Gambling Commission's Guidance for local authorities which states that:

- licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that 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.
- 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 also 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 reference 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. This 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 complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

- 1.4 **Location** - The licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues

of crime and disorder. Should any specific statement of principles be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such statement does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

- 1.5 **Duplication with other regulatory regimes** - The licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. The authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though listen to, and consider carefully, any concerns about conditions, which cannot be met by licensees due to planning restrictions, should such a situation arise. It is for the applicant to ensure that any other statutory requirements are complied with.
- 1.6 in cases where an application for a transfer of a licence from one premises to another close by with some increase in the size of the customer area, the licensing authority may conclude that the grant of a transfer would not be inexpedient. This would be subject to ensuring that the regulations once published and other statutory regulations have been complied with.
- 1.7 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 1.8 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** – This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.
- 1.9 **Ensuring that gambling is conducted in a fair and open way** - This licensing authority has noted that the Gambling Commission has stated that it would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will

be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 16).

- 1.10 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** - This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This licensing authority will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated, by way of a revision.

- 1.11 **Conditions** - Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises:
and
- Reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of control 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 below. The licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This 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; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

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

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are 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.

- 1.12 **Door Supervisors** - The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.
- 1.13 Where operators and licensing authorities decide that supervision of entrances/machines is appropriate for particular cases, it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.
- 1.14 Conditions relating to door supervisors will only be applied where this is considered necessary and this will be proportional.

2. Adult Gaming Centres

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

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

3. Licensed Family Entertainment Centres

- 3.1 The licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, 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.

This licensing authority may consider measures to meet the licensing objectives, such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion 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 not mandatory, nor exhaustive, and is merely indicative of example measures

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

4. Casinos

- 4.1 **No Casinos resolution** – Full council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the licensing authority decide in the future to pass such a resolution, it will update this statement of principles with details of that resolution. Any such resolution will be made by the Full Council.
- 4.2 **Casinos and competitive bidding** - The licensing authority is aware that where a licensing authority area is enabled to grant a premises licence for a new style casino (i.e. the Secretary of State has made such 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 local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. The licensing authority will run such a competition in line with any regulations/codes of practice issued under the Gambling Act 2005
- 4.3 **Licence considerations / conditions** - The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in

relation to the suitability and layout of casino premises" (Gambling Commission Guidance for local authorities - 17.30) This guidance will be considered by this licensing authority when it is made available.

- 4.4 **Betting machines** -This licensing authority will, as per the Gambling Commission's Guidance, 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 people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

5. Bingo premises

- 5.1 This licensing authority notes that the Gambling Commission's Guidance states:

18.4 - 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 C or above 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
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

- 5.2 This licensing authority is also aware that the Gambling Commission has stated that it is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.

6. Betting premises

- 6.1 **Betting machines** This licensing authority will, as per the Gambling Commission's Guidance, 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 people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

- 6.2 The licensing authority will however consider only putting a limit on the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter.

7. Tracks

- 7.1 Note there are currently no tracks operating in the district, however this statement of principles contains provision for the event of such a premise.

- 7.2 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

- 7.3 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

- 7.4 This licensing authority may consider measures to meet the licensing objectives, such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes

- Provision of information leaflets / helpline numbers for organisations such as GamCare

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

- 7.5 **Gaming machines** -Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and 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. Children and young persons are not prohibited from playing category D gaming machines on a track.
- 7.6 **Betting machines** - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.
- 7.7 **Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for local authorities that "...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."
- 7.8 **Applications and plans** - This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but notes the Gambling Commission's suggestion that "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" and that "Plans should

make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."

- 7.9 This licensing authority also notes that 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, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

8. Travelling Fairs

- 8.1 It will fall to the licensing authority to 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.
- 8.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair as defined by the Gambling Commissions guidance to licensing authorities. The authority will determine on each occasion whether gambling without a permit can be made available, but subject to the legal requirements in the way gaming machines operate.
- 8.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The licensing authority will work with its neighbouring authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

- 9.1 The licensing authority notes the Guidance for the Gambling Commission which states 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" and that "Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully".
- 9.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may

refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- a) Which could not have been raised by objectors at the provisional licence stage; or
- b) Which is in the authority's opinion reflect a change in the operator's circumstances.

This authority has noted the Gambling Commission's Guidance that "A licensing authority should not take into account irrelevant matters. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

10. **Reviews**

10.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for 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 matters listed below, as well as consideration as to whether the request is frivolous or vexatious. This will certainly not cause this authority to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

10.2 The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Part C

Permits / Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre gaming machine permits (statement of principles on permits – schedule 10 para 7)

1.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

1.2 The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the commission under section 25. The Gambling Commission's Guidance for local authorities also states: "In their three year licensing statement of principles statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits licensing authorities will want to give weight to child protection issues. (24.6)

1.3 Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes. (24.7)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

1.5 **Statement of Principles** = This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises,

measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. Alcohol licensed premises gaming machine permits – (schedule 13 paragraph 4(1))

2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. as there is no limit in the Act to the number of additional machines that may be authorised, this licensing authority will grant up to 4 gaming machines. The premises merely need to notify the licensing authority. The licensing authority however can 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 condition 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
- An offence under the Gambling Act has been committed on the premises

2.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under section 25 of the Gambling Act 2005, and “such matters as they think relevant.” The licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in site of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of

vulnerable persons applicants may wish to consider the provision of information leaflets and helpline numbers for organisations such as GamCare.

- 2.3 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.4 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 2.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits – (Statement of Principles on Permits Schedule 14 paragraph 8 (3))

- 3.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.
- 3.2 This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:
 - that they understand the limits to stakes and prizes that are set out in Regulations;
 - and that the gaming offered is within the law.
- 3.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the

chances are allocated; and the result of the game must be made public in the premises on the day that it is played;

- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

4.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a clubs 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).

4.2 Gambling Commission guidance states: "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."

4.3 The Commission Guidance also notes that licensing authorities may only refuse an application on the grounds that:

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

4.4 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit

are reduced.” And “The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed 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.”

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

5. Temporary Use Notices

There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that “The meaning of “premises” in part 8 of the Act is discussed in Part 7 of this guidance. As with “premises”, the definition of “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In the Act “premises” is defined as including “any place”. In considering whether a place falls within the definition of “a set of premises”, licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.”

6. 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. This licensing authority will though consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

7. Lotteries

- 7.1 Awaits information from Gambling Commission guidance and will be added when available.

8. Review

The statement of principles statement will remain in existence for a period of three years and will be subject to review and further consultation before October 2009. However, following consultation, the licensing authority may make revisions to it as deemed necessary. The statement must also be reviewed from time to time and any amended parts re-consulted upon. The statement must then be re-published.

9. Glossary

A glossary of terms is attached at Appendix 3

Appendix 1

Summary of licensing authority delegations permitted under the Gambling Act

Matter to be dealt with	Full Council	Sub-committee of Licensing Committee	Authorised Officer of the Council
Final approval of three year licensing statement of principles	X		
Statement of principles not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licenses		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

X Indicates at the lowest level to which decisions can be delegated.

Appendix 2

SOUTH HOLLAND DISTRICT COUNCIL STATEMENT OF GAMBLING STATEMENT OF PRINCIPLES – Gambling Act 2005

Persons consulted

1. Lincolnshire County Council Highways, Boston and South Holland Division, Municipal Buildings, West Street, Boston, Lincs PE21 8QR
2. Lincolnshire County Council Trading Standards, The Old Malthouse, Commercial Road, Grantham, Lincs NG31 6DE
3. Lincolnshire County Council Director of Social Services, Central Office, Orchard House, Orchard Street, Lincoln, Lincs LN1 1BA
4. John Hayes MP, c/o 20 Station Street, Spalding, Lincs PE11 1EB
5. British Institute of Innkeeping, Wessex House, 80 Park Street, Camberley, Surrey GU15 3PT
6. Mencap, 126 London Road, Boston, Lincs PE21 7HB
7. Help the Aged, 207-221 Pentonville Road, London N1 9UZ
8. NSPCC, South and East Divisional Office, 3rd floor Arnold House, 36-41 Holywell Lane, London EC2A 3EL
9. Church of England Children's Society, Edward Rudolf Hose, 69-85 Margery Street, London WC1X 0JL
10. GAMCARE, 2-3 Baden Place, London SE1 1YW
11. Alcoholics Anonymous, PO Box 1, 10 Toft Green, York Y01 7ND
12. Magistrates Clerk, Grantham Magistrates Court, Harlaxton Road, Grantham NG31 7SB
13. Association of Racecourse Bookmakers, 19 Hurst Lane, Birmingham, W. Midlands B34 7HS
14. Citizens Advice Bureau, Myddelton House, 115-123 Pentonville Road, London N1 9LZ
15. Paul Bellringer OBE, Chairman, Responsible Gambling Solutions Ltd, 1 Quarry Close, Rusper Road, Horsham RH12 5QN
16. British Amusement Catering Trade Associated, Alders House, 133 Aldersgate Street, London EC1A 4AJ
17. British Beer and Pub Association, Market Towers, 1 Nine Elms Lane, London SW8 5NQ
18. Gamblers Anonymous, National Service Office, PO Box 88, London SW10 0EU

19. Gala Bingo, Head Office, New Castle House, Castle Boulevard, Nottingham NG7 1FT
20. Learning Disabilities, 123 Golden Lane, London EC1Y 0RT
21. MIND, 16a North Street, Bourne
22. Relate Lincolnshire, Len Medlock Voluntary Centre, St. George's Road, Boston PE21 8YB
23. Samaritans, PO Box 9090, Stirling FK8 2SA
24. Shout, 1-5 London Road, Grantham, Lincs NG31 6EY
25. Registered Lottery organisers within the district of South Holland
26. All Premises Licence Holders within the district of South Holland
27. Churches Together in England, 27 Tavistock Square, London WC1H 9HH
28. Parent Line + Lincolnshire, Market Office, Sheep Market, Stamford PE9 2SL
29. National Probation Service, 1st floor, Abell House, John Islip Street, London SW1P 4LH
30. Community Care for the Elderly, 4 St. Catherines Road, Grantham
31. Civic Trust, Essex Hall, 1-6 Essex Street, London WC2R 3HU
32. Chamber of Commerce, Head of Economic & Community Development, South Holland District Council, Council Offices, Priory Road, Spalding PE11 2XE
33. Federation of Small Businesses, Head of Economic & Community Development, South Holland District Council, Council Offices, Priory Road, Spalding PE11 2XE
34. ASBO Officer, South Holland District Council, Council Offices, Priory Road, Spalding PE11 2XE
35. Catholic Children's Society East Anglia, St. Thomas Moore School, Park Lane, Peterborough
36. Salvation Army, Crowland Corps, Hall Street, Crowland PE6 0EW
37. Department for Culture Media & Sport, 2-4 Cockspur Street, London SW1Y 5DH
38. The Lottery Syndicate Club, 45 Arundel Crescent, Boston PE21 7QH
39. British Association of Social Workers, 16 Kent Street, Birmingham, W Midlands B5 6RD
40. British Casino Association, 38 Grosvenor Gardens, London SW1W 0EB
41. The National Association of Round Tables of GB and Ireland, Marchesi House, 4 Embassy Drive, Calthorpe Road, Edgbaston, Birmingham B15 1TP
42. Royal British Legion, 48 Pall Mall, London SW1Y 5JY
43. Bourne & District Lions Club, 49 West Street, Bourne PE10 9NB
44. East Lincs Primary Care Trust, South Holland Locality Office, Welland Hospital, Roman Bank, Spalding PE11 2HN
45. Barnardo's, Head Office, Tanners Lane, Barkingside, Ilford, Essex IG6 1QG
46. Gordon House Association, Central Office, 114 Wellington Road, Dudley, W Midlands DY1 1UB

47. International Children's Trust, 1020 Lincoln Road, Peterborough
48. Christian Centre for Gambling Rehabilitation, 59 Birkenhead Street, London WC1H 8BB
49. Association of Remote Gambling Operators, Regency House, 1-4 Warwick Street, London W1B 5LT
50. Gambling Success, Flat 54, Chancellors Court, Orde Hall Street, London WC1N 3JP
51. Gambling Addiction Counselling, 3 Kimmeridge, Wareham, Dorset BH20 5PE
52. The Society for the Study of Gambling, c/o Centre for the Study of Gambling and commercial Gaming, School of Accounting, Economics and Management Science, The University of Salford, Salford, Greater Manchester M5 4WT
53. William Hill, Head Office, Greenside House, 50 Station Road, Wood Green, London N22 7TP
54. All responsible Authorities (as detailed in Appendix 3 – Glossary of Terms)
55. The National Lottery, Locard House, Linnet Way, Strathclyde Business Park, Bellshill, Lanarkshire ML4 3RA
56. British Beer and Pub Association – Midland Counties, PO Box 3876, Kidderminster DY11 5YR
57. South Lincolnshire Community & Mental Health Services, Long Sutton Medical Centre, Trafalgar Square, Long Sutton, Spalding, Lincs PE12 9HB
58. Association of Head Teachers, 1 Heath Square, Boltro Road, Haywards Heath, W Sussex RH16 1BL
59. Ladbrokes Betting Shops, Imperial House, Rayners Lane, Middlesex
60. Citizens Advice Bureau, 24 The Crescent, Spalding, Lincolnshire PE11 1AF
61. Cathedral City Coins, 14 Sandra Crescent, Washingborough, Lincoln LN4 1QZ
62. Hart-Marler Leisure, The Flaxmill, Flaxmill Lane, Pinchbeck, Spalding PE11 3YP
63. Jolly Roger Ltd, College View Works, Manby Road, Grimoldby, Louth, Lincs LN11 8HE
64. Lease Automatics, 18 High Street, Boston, Lincs PE21 8SH
65. Premier Amusements, 70 Sunningdale Drive, Skegness, Lincs PE25 1AU
66. Universal Logic Ltd, 3 The Glebe, Upton, Gainsborough, Lincs DN21 5PD
67. Eagle Enterprises, The Retreat, Harby Lane, Eagle Moor, Lincoln, Lincs LN6 9DS
68. Instance Assemblies, 67 St. Andrews Drive, Skegness, Lincs PE25 1DJ
69. Spilsby Amusement Machines, 17 Station Road, Halton Hologate, Spilsby, Lincs PE23 5PB
70. Wakley Automatics Ltd, Unit 3, Alma Park Road, Grantham, Lincs NG31 9SE

71. S & D Bookmakers Ltd, Head Office, 29 Main Street, Yaxley, Peterborough PE7 3LZ
72. Poymatics Ltd, Shangri-La, 16 Lynn Road, Hunstanton, King's Lynn, Norfolk PE31 6NG
73. Sound & Vision (Cambridge), 29 Barton Road, Haslingfield, Cambridge CB3 7LL
74. Clover Leisure Ltd, Unit 12, Orchard Farm Business Park, Soham, Ely, Cambs CB7 5TU
75. Peterborough Automatics Ltd, 20 Godric Square, Peterborough, Cambs PE2 7JL
76. Martin's Reel Games Ltd, 84 Gordon Road, Little Paxton, St. Neots, Cambs PE19 6ND
77. Cherry Automatics, 12 Pembroke Avenue, Waterbeach, Cambridge CB5 9QP
78. Shelford Coin Operated Machines, 7 Watermead, Bar Hill, Cambridge CB3 8TJ
79. Micro Automatics, 651 Lincoln Road, Peterborough, Cambs PE1 3HA
80. Leisurelink, 3 The Maltings, Wetmore Road, Burton upon Trent, Staffs DE14 1SE

APPENDIX 3

GLOSSARY OF TERMS UNDER THE GAMBLING ACT 2005

Council:	South Holland District Council
Applications:	Applications for licences and permits as stated in the Statement of Principles
Notifications:	Notifications of temporary and occasional use notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place, including a vehicle, vessel or moveable structure
Premises Licence	Issued by the Licensing Authority to authorise premises to be used for the activities as defined by Section 150 of the Gambling Act
Operator Licence	Issued by the Gambling Commission to organisations and individuals who are providing facilities for gambling as defined by Section 65 of the Gambling Act
Personal Licence	Issued by the Gambling Commission to certain categories of people working in the gambling industry as defined by Section 127 of the Gambling Act
Family Entertainment Centre	The Act creates two classes of Family Entertainment Centres – Licensed: which provide category C and D gaming machines and require a premises licence Unlicensed: which provide category D gaming machines in reliance on a Gaming machine Permit
Adult Gaming Centre	Premises which provide category B, C and D gaming machines and require an operating licence and a premises licence
Gaming Machine	A machine which is designed or adapted for use by individuals to gamble as defined by Section 235 of the Gambling Act
Categories of Gaming machines	A – Maximum Stake: unlimited, Maximum Prize: unlimited B1 – Maximum Stake: £2, Maximum Prize: £4000 B2 – Maximum Stake: £100, Maximum Prize: £500 B3 – Maximum Stake: £1, Maximum Prize: £500 B4 – Maximum Stake: £1, Maximum Prize: £250 C – Maximum Stake: 50p, Maximum Prize: £25 D – Maximum Stake: 10p or 30p when non-monetary prize, Maximum Prize: £5 cash or £8 non-monetary prize
Betting Machine	A machine designed or adapted for use to bet on future real events as defined by Section 235(2)© of the Gambling Act
Remote Gambling	Gambling in which persons participate by the use of remote communication as defined by Section 4 of the Gambling Act
Remote Communication	Communication using – The internet Telephone Television Radio, or Any other type of electronic or other technology As defined by Section 4(2) of the Gambling Act.

Travelling Fair	A fair wholly or principally providing amusements and that has been provided wholly or principally by persons who travel from place to place for the purpose of providing fairs, and On a site used for fairs for no more than 27 days per calendar year
Code of Practice:	As defined by Section 286 of the Gambling Act Means any relevant code of practice under section 24 of the Gambling Act 2005
Responsible Authority:	For the purposes of this Act, the following are responsible authorities in relation to premises: <ol style="list-style-type: none"> 1. The Licensing Authority in whose area the premises are wholly or mainly situated South Holland District Council); 2. The Gambling Commission; 3. Lincolnshire Police; 4. Lincolnshire Fire and Rescue; 5. Planning Department, South Holland District Council; 6. Head of Community and Neighbourhood Services [environmental health], South Holland District Council 7. Lincolnshire Safe Guarding Children’s Board, Lincolnshire County Council; 8. HM Revenue and Customs. 9. Any other person/body prescribed by regulations.
Interested Party:	For the purposes of this Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:- <ol style="list-style-type: none"> 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; c) Represents persons who satisfy a) or b) above.
Vulnerable Persons	Whilst there is no statutory definition this authority considers that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.
Disorder	An angry, possibly violent, expression of dissatisfaction by an individual(s) or crowd of people. Linked with the crime and disorder licensing objective.
Nuisance	An activity or event which causes annoyance or disturbance to an affected individual(s).
Self-barring	A scheme to enable individuals to request exclusion from premises licensed for gambling activities.