Gambling Act 2005 Statement of Principles

Stevenage Borough Council

[2025-2028]

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1. Purpose

1.1 Licensing authorities are required by the Gambling Act 2005 (the Act) to publish a statement of the principles that they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.

1.2 This Policy will replace all previous versions. The Gambling Act Statement of Principles is revised every three years. The previous version of this policy was approved on 9th March 2022.

2. Scope

2.1 In exercising most of their functions under the Act, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act which are:

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

b) Ensuring that gambling is conducted in a fair and open way;

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

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

3 Legal Framework

3.1 This licensing authority is aware that, as per Section 153 of the Gambling Act 2005, 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 it is:

- In accordance with any relevant code of practice issued by the Commission;
- In accordance with any relevant guidance issued by the Commission.
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority's statement of principles

3.2 Paragraph 6.7 of this Policy sets out in more detail how this authority will support the attainment of the licensing objectives.

Declaration

3.3 In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Act, the guidance issued by the Commission, and any responses from those consulted upon the statement.

Each application is determined on its own merits.

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

3.5 Authorisations under the Act

3.5.1 The Act provides for three categories of licence: operating licences, personal licences and premises licences. The Council will be responsible for the determination and issuing of premises licences. The responsibility for operating and personal licences rests with the Gambling Commission.

3.5.2 Premises licences issued by the Council cover the following types of premises:

- casinos
- bingo premises
- betting premises
- track betting
- adult gaming centres (AGC)
- family entertainment centres (FEC)

3.5.3 The Council will be responsible for the determination and issuing of five categories of permit:

- unlicensed family entertainment centre (uFEC) gaming machine permits
- (alcohol) licensed premises gaming machine permits
- prize gaming permits
- club gaming permits
- club gaming machine permits

3.5.4 The Council will be responsible for the determination and issuing of two categories of temporary authorisations:

• temporary use notices (TUN)
• occasional use notices (OUN)

3.5.5 The Council will be responsible for the determination and registration of applications for small society lotteries.

3.6 The Gambling Commission

3.6.1 The Commission regulates gambling in the public interest. It does so by keeping crime out of gambling, by ensuring that gambling is conducted in a fair and open way and by protecting children and vulnerable people.

3.6.2 The commission:

provides independent advice to the Government about the way gambling is carried out, the effects of gambling, and the regulation of gambling generally.

- issues guidance pursuant to section 25 of the Act about the way licensing authorities exercise their licensing functions under the Act and, in particular, the principles to be applied.

- issues Codes of Practice pursuant to section 24 of the Act about the way in which facilities for gambling are provided, which may also include provisions about the advertising of gambling facilities.

4 Equalities

4.1 Under the Equality Act (2010) the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the Council will carry out its functions in a way that:

a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
c. Encourages good relations between people who have a protected characteristic(s) and those who don't

Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5. Data Protection

1.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.

1.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see Data Protection Act (stevenage.gov.uk)

6. Policy

6.1 Stevenage Borough

6.1.1 Stevenage Borough Council is situated in the County of Hertfordshire, which contains ten District Councils in total. Stevenage was designated as Britain's first new town in 1946 and the Council area has a population estimated at 88104 (2018), making it the smallest in the County by population. In terms of area, it is also the smallest, covering approximately 20 square miles and is surrounded by the districts of North Hertfordshire and East Hertfordshire. A map of the Council area is attached as an appendices at 11.1.

6.1.2 Set in the attractive countryside of north Hertfordshire, Stevenage is an urban authority, enjoying the amenities of a well-planned new town, together with a history dating back to Roman times. The town is divided into distinct land use areas, the town centre, Old Town and railway station are the core of the town. They are surrounded by individual residential neighbourhoods containing around 38,000 homes. Local neighbourhood centres provide shops and community facilities for residents. There are two main employment areas, one to the west of the town centre at Gunnels Wood and one to the north-east at Pin Green.

6.1.3 There are a range of leisure facilities, retail parks and supermarkets. Open spaces and play areas are well spread throughout the town. Wide roads and a cycle and pedestrian network link all parts of the town. Stevenage's railway station is on the East Coast Main Line. There are long distance rail links between London and the north. Commuter services connect the town to Kings Cross, Cambridge and Peterborough as well as nearby towns including Hitchin, Letchworth and Welwyn Garden City. The town is connected to Junctions 7 and 8 of the A1(M) which links London, the midlands and the north. The A602 connects Stevenage to Hitchin and Ware while the nearby A505 provides

connections between Luton Airport and Cambridgeshire. The urban road network of Stevenage comprises three main north-south routes and four main east-west routes.

6.2 Responsible Authorities

6.2.1 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.

6.2.2 In accordance with the Commission's Guidance for local authorities, this authority designates the Hertfordshire Safeguarding Children Board for this purpose.

6.2.3 Any concerns expressed by a responsible authority in relation to their own functions cannot be taken into account unless they are relevant to the application itself and the licensing objectives. In this regard the Council will not generally take into account representations that are deemed to be irrelevant, such as:

- There are too many gambling premises in the locality (because need for gambling facilities cannot be taken into account)
- The premises are likely to be a fire risk (because public safety is not a licensing objective)
- The location of the premises is likely to lead to traffic congestion (because this does not relate to the licensing objectives)
- The premises will cause crowds to congregate in one area causing noise and nuisance (because other powers are generally available to deal with these issues. It should be noted that, unlike the Licensing Act 2003, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. Any nuisance associated with gambling premises should be tackled under other relevant laws).

6.2.4 The contact details of all the Responsible Authorities under the Act for applications in respect of premises within the Borough of Stevenage are

included as an appendices at 11.2. This information is also available via the Council's website at: www.stevenage.gov.uk

6.3 Interested Parties

6.3.1 Interested parties can make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Act as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of 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)"

6.3.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party. The principles are: Each case will be decided upon its own merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Commission's Guidance for local authorities at 8.9 to 8.17. It will also consider the Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

6.3.3 Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the Councillor or MP represent 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 generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

6.3.4 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 team by e-mail at licensing@stevenage.gov.uk

6.3.5 In the absence of any regulations to the contrary, representations should ideally:

- be made in writing (letter, or e-mail);
- be in black ink on single sides of A4 paper;
- indicate the name and address of the person or organisation making the representation;
- indicate the premises to which the representation relates;
- Indicate the proximity of the premises to the person making the representation. A sketch map or plan may be helpful to show this;
- Clearly set out the reasons for making the representation, and which objective it refers to.

6.4 Exchange of Information

6.4.1 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 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. Those persons or bodies are listed in Schedule 6(1) as:

- a constable or police force
- an enforcement officer
- a licensing authority
- HMRC
- the First Tier Tribunal
- the Secretary of State.

6.4.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 or General Data Protection Regulation will not be contravened. The licensing authority will also have regard to any Guidance issued by the Commission to 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.

6.4.3 Details of applications and representations which are referred to a Licensing Committee for determination will be published in reports that are made publicly available. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is asked to do so and is satisfied that it is appropriate to do so.

6.4.4 The authority will ensure that the information on the returns is accurate and sent to the Commission within agreed timescales.

6.4.5 We recognise the need to share information with other agencies about our inspections and compliance activities. The Council has various policies relating to information governance, which will be considered when deciding what information to share and the process for doing so.

6.4.6 Information can be accessed by data subjects via a number of routes including a Freedom of Information Request or Subject Access Request.

6.5 Enforcement

6.5.1 Licensing authorities are required by regulation under the Act 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.

6.5.2 This licensing authority's principles are that it will be guided by the Commission's Guidance for local authorities, and will endeavour to be;

- Proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;

- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem and minimise side effects.

6.5.3 In accordance with the Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

6.5.4 This licensing authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Commission, in particular at Part 36
- The council's local area profile
- The principles set out in this statement of licensing policy.

6.5.5 This may include test purchasing activities to measure the compliance of licensed operators with aspects of the Act. When undertaking test purchasing activities, the licensing authority will undertake to liaise with the Gambling Commission and the operator to determine what other, if any, test purchasing schemes may already be in place. Irrespective of the actions of an operator on their broader estate, test purchasing may be deemed to be an appropriate course of action.

6.5.6 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions that it authorises. The Commission is the enforcement body for operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines or concerns about online or remote gambling will not be dealt with by the licensing authority but will be notified to the Commission.

6.5.7 This licensing authority will also keep itself informed of developments as regards the work of the Office for Product Safety and Standards in its consideration of the regulatory functions of local authorities, in particular, with regard to the Regulators' Code (April 2014) which provides a regulatory framework that supports compliance and growth while enabling resources to be focused where they are most needed. We will make available our

enforcement and compliance protocols and written agreements upon request.

6.5.8 Bearing in mind the principle of transparency, the Council has adopted an Enforcement Policy which sets out the Council's approach to securing compliance with regulatory requirements and applies to all our regulatory functions, including gambling. The Policy is available on the Council's website.

6.6 Licensing Authority Functions

6.6.1 The Licensing Authority has delegated some of its functions to the Licensing Committee and to officers. An explanation of these arrangements is shown in Appendix 5.

6.6.2 Licensing Authorities are 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) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange)
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Commission via operating licences.

6.7 Meeting The Licensing Objectives

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

6.7.1 The Commission will take the lead role in keeping gambling free from crime by vetting applicants for operator and personal licences. The licensing authority will have to be satisfied that the premises will not adversely affect the licensing objective and is compliant with the Commission's Guidance, codes of practice and this policy statement.

6.7.2 The licensing authority will expect the applicant to have a good understanding of the local area in which they either operate, or intend to operate, a gambling premises. As part of the application, the applicant will provide evidence to demonstrate that in operating the premises they will meet this licensing objective.

6.7.3 Examples of the specific steps the licensing authority may take to address this area can be found in the section covering specific premises in Part C and in relation to permits and notices in Part D of this policy.

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

6.8.1 The Commission is the body primarily concerned with ensuring that operators conduct gambling activities in a fair and open way, except in the case of tracks.

6.8.2 The licensing authority will notify the Commission of any concerns about misleading advertising, the absence of required game rules, or any other matters as set out in the Commission's Licence Conditions and Code of Practice.

6.8.3 Examples of the specific steps the licensing authority may take to address this area can be found in the section covering specific premises in paragraph 6.10, and in relation to permits and notices in paragraph 6.27 of this statement.

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

6.9.1 Protection of Children: Persons under 18 cannot be admitted to many types of gambling premises. This objective means preventing children from taking part in most types of gambling.

6.9.2 Section 45 of the Act provides the definition for child and young person:

Meaning of “child” and “young person”

1) In this Act “child” means an individual who is less than 16 years old.
2) In this Act “young person” means an individual who is not a child but who is less than 18 years old.

6.9.3 Children and young persons may take part in private and non-commercial betting and gaming, but the Act restricts the circumstances in which they may participate in gambling or be on premises where gambling is taking place as follows:

- casinos, betting shops and adult gaming centres are not permitted to admit anyone under 18;
- bingo clubs may admit those under 18 but must have policies to ensure that they do not play bingo, or play category B or C machines that are restricted to those over 18;
- family entertainment centres and premises licensed to sell alcohol for consumption on the premises can admit under 18s, but they are not permitted to play category C machines which are restricted to those over 18;
- clubs with a club premises certificate can admit under 18s, but they must have policies to ensure those under 18 do not play machines other than category D machines;
- All tracks can admit under 18s, but they may only have access to gambling areas on days where races or other sporting events are taking place or are expected to take place. Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.

6.9.4 The licensing authority will have regard to any code of practice which the Commission issues as regards this licensing objective in relation to specific premises.

6.9.5 The licensing authority will consider whether specific measures are required at particular premises, with regard to this licensing objective. These measures may include supervision of entrances / machines, segregation of areas, etc. Examples of the specific steps the Council may take to address this area can be found in the section covering specific premises in paragraph 6.10 and in relation to permits and notices in paragraph 6.27of this policy.

6.9.6 Where gambling premises are located in sensitive areas where young and/or vulnerable persons may be present, for example near schools, this licensing authority will consider imposing restrictions on advertising the gambling facilities on such premises where it is considered relevant and reasonably consistent with the Licensing Objectives.

6.9.7 Protection of vulnerable people: It is difficult to define the term “vulnerable person". The Commission, in its Guidance to Local Authorities, does not seek to offer a definition, but will, for regulatory purposes assume that this group includes people:

“Who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs. "

6.9.8 The Commission’s Code of Practice clearly describes the policies and procedures that operators should put in place regarding:

- combating problem gambling
- access to gambling by children and young persons
- information on how to gamble responsibly and help for problem gamblers
- customer interaction
- self-exclusion
- employment of children and young persons

6.9.9 The licensing authority may consider any of the measures detailed below as suitable methods to protect persons (children or vulnerable persons) from harm or at risk of being exploited by gambling. The business’ local risk assessment in accordance with SR code provision 10.1.2, will consider these controls and any subsequent controls that have equal or better effect:

- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet
- training for staff members which focuses on an employee's ability to detect a person who may be vulnerable and providing support to vulnerable persons
- self-exclusion schemes
- operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
- posters and leaflets with GamCare Helpline and website displayed in prominent locations
- external advertising to be positioned or designed not to entice passers-by.

6.9.10 It is a requirement of the Commission's Licence Conditions and Codes of Practice (LCCP), under Section 3, that licensees must have and put into effect policies and procedures intended to promote socially responsible gambling.

6.9.11 The LCCP say that licensees must make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling.

6.9.12 The Council strongly believes that all licensed premises have a responsibility to ensure that safeguarding is a key priority for all businesses in respect of staff, customers and any person in the vicinity of the premises.

6.9.13 All business owners and management should sufficiently understand safeguarding matters including, but not limited to:

- gangs and knife crime
- county lines
- modern day slavery
- child sexual exploitation
- supply, distribution or taking of illegal substances

to enable them to spot warning signs of any safeguarding matter and know who to report it to. Information and training materials can be found on the websites of Hertfordshire County Council and Hertfordshire Police.

6.9.14 Applicants and licence holders are encouraged to ensure that suitable management controls are in place to address potential safeguarding concerns. Measures could include, but would not be limited to:

- awareness training for staff, including indicators to look out for.
- regular patrols of the premises, including external areas and the immediate proximity, to identify any vulnerable persons;
- close monitoring of patrons as they leave the premises;
- recording and reporting concerns to the police;
- implementing suitable safeguarding policies and procedures

6.9.15 The Council acknowledges that child sexual exploitation awareness (CSE) should be applied more broadly than licensed premises, particularly as children are not permitted access to most gambling premises. Applicants should be equally aware of children in the proximity of the premises that may be waiting for, or seeking, older persons.

6.9.16 Applicants and Licence Holders of relevant premises (pubs and clubs with gaming machines, bingo premises and unlicensed family entertainment centres) are to ensure that suitable management controls are in place to safeguard children against the risk of CSE. Measures may include, but are not limited to:

- awareness training for staff;
- regular patrols of the premises, including external areas and the immediate proximity, to identify any vulnerable children;
- close monitoring of patrons as they leave the premises;
- recording and reporting concerns to the police.

6.9.17 The Council anticipates applicants to be aware of ‘risk indicators’ of CSE which include, but are not limited to:

- developing relationships between a child and an older person
- children in the company of a group of older persons
- children regularly attending premises and meeting with several different older persons, particularly where older persons may be facilitating gambling for children

- children outside of licensed premises developing relationships with an older person, particularly an older person facilitating gambling for children
- children leaving the locality of the premises with older persons, particularly with a group of older persons
- children looking uncomfortable in the company of, or leaving with, older persons, particularly groups of older persons.

6.9.18 Whilst the Council does not wish to create the impression that all contact between children and older persons is inappropriate, it is strongly of the view that licence holders should be aware of the risks of CSE and should proactively manage their premises to minimise those risks.

6.9.19 The Hertfordshire Safeguarding Children Board (HSCB) have a dual role in respect of preventing CSE within licensed premises. The HSCB is a responsible authority under the Act having been nominated by the Council to undertake this function. The HSCB also monitors compliance with the statutory requirements under section 11 of the Children Act 2004 to safeguard and promote the welfare of children. Applicants are encouraged to visit the HSCB website for advice www.hertssafeguarding.org.uk.

6.10 Premises Licence: consideration of Applications

General Principles

6.10.1 The Act contains three licensing objectives. In this revision of its Statement of Policy, the Licensing Authority seeks to assist applicants by setting out the considerations we will apply when determining applications under the Act.

6.10.2 The Council will issue premises licences to allow premises to be used for certain types of gambling. These are:

a) casino premises,

b) bingo premises,

c) betting premises including tracks and premises used by betting intermediaries,

d) adult gaming centre premises, or

e) family entertainment centre premises.

6.10.3 Premises licences are subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions, which the Secretary of State has detailed in regulations. The Council will exclude default conditions and attach others, where were considered appropriate due to evidence of a risk to the licensing objectives. Paragraph 6.16 below clarifies the position with respect to mandatory and default conditions.

6.10.4 The Commission has issued Codes of Practice for each interest area for which they must have regard. The Council will also have regard to these Codes of Practice.

Decision Making

6.10.5 When making decisions about premises licences the Council is under a statutory duty by virtue of s.153 of the Act to aim to permit the use of premises for gambling in so far it is considered to be:

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

6.10.6 The licensing authority will not accept moral objections to gambling as a valid reason to reject applications for premises licences (except with regard to any 'no casino resolution' - see section on Casinos). Issues of nuisance, planning permission and building regulation are not issues that can be taken into account when considering an application for a premises licence.

6.10.7 The licensing authority will not consider whether there is demand for gambling as valid criteria when deciding whether to grant or reject applications for premises licences. Each application must be considered on its merits without regard for demand, reflecting the statutory ‘aim to permit’ principle outlined above.

6.10.8 However, the authority will consider the location of a premises so far as it relates to the licensing objectives and whether there is need for condition(s) to mitigate risks in respect of gambling in a particular location.

6.10.9 The Council’s Scheme of Delegation is reproduced in 11.4 of the appendices. The General Purposes Committee has been established to deal with licensing

issues and the determination of applications in certain cases, i.e. those where representations have been made or where premises licences require review. Uncontentious applications (i.e. those where no representations have been made) will be delegated to officers.

6.10.10 Where representations are received the Council will consider whether they are vexatious, frivolous or if they would influence the Council's determination of the application.

Environment considerations

6.10.11 Whilst the Council acknowledges that protection of the environment is not a licensing objective therefore not a relevant consideration in the decision-making process, it has declared a climate emergency and expects applicants to make every effort to protect the environment.

6.10.12 Matters that applicants/licence holders could promote to protect the environment include, but are not limited to:

- avoiding single use plastic cups if providing drinks to customers
- avoiding the use of plastic pen for completing betting slips
- consideration of the building's carbon footprint
- company policies on environmental issues

Public health and gambling

6.10.13 The Council agrees with the Gambling Commission's position that gambling-related harm should be considered a public health issue.

6.10.14 Gambling is a legitimate leisure activity enjoyed by many and the majority of those who gamble appear to do so without exhibiting any signs of problematic behaviour. There are however significant numbers of people who do experience significant harm as a result of their gambling and these people's problems are often undetected.

6.10.15 For these problem gamblers, harm can include higher levels of physical and mental illness, debt problems, relationship breakdown and, in some cases, criminality. It can also be associated with substance misuse.

6.10.16 There can also be considerable negative effects experienced by the wider group of people around a problem gambler. The health and wellbeing of partners, children, and friends can all be negatively affected.

6.10.17 The Council considers that public health teams, whilst not a statutory responsible authority under the Act, can still assist the Council to address problem gambling-related harms in its district.

6.10.18 The Council will therefore engage with the local public health team and the Hertfordshire Gambling Harms Alliance in the further development of this Statement of Principles and the Local Area Profile. The public health team and Hertfordshire Gambling Harms Alliance should, where appropriate, be able to assist with matters including, but not limited to:

- identifying and interpreting health data and evidence to inform the review of the Statement and develop a locally tailored local area profile
- making decisions that benefit and protect the health and well-being of the district
- conducting a health impact assessment of gambling in the district or assessing any existing relevant data.

Definition of 'premises'

6.10.19 Premises are defined in the Act as "any place". Section 152 therefore prevents more than one premises licence applying to any place. 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. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licenses, where appropriate safeguards are in place. However, the authority will pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

6.10.20 The Commission states in its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will

depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit. The Commission recognises that different configurations may be appropriate under different circumstances, but the crux of the matter is whether the proposed premises are genuinely separate premises that merit their own licence - with the machine entitlements that brings – and are not an artificially created part of what is readily identifiable as a single premises."

6.10.21 The licensing authority takes particular note of the Commission's Guidance, which states that licensing authorities should pay attention 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 this Authority is 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. The Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Additionally, the third licensing objective seeks to protect children from being harmed by gambling. In practice, this means not only preventing children from taking part in gambling but also preventing them from being in close proximity to gambling. Therefore, licence holders should configure premises so that they do not invite children to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating.

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

- Does the premises have a separate registration for business rates?
- Is the neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

6.10.23 Clearly, there will be specific issues that the Authority will 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 be prohibited under the Act.

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

6.10.25 The Commission's relevant access provisions for each premises type are reproduced below:

Casinos

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

Adult Gaming Centre

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

Betting Shops

- Access must be from a street (as per Para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence.
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

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

- a casino
- an adult gaming centre

Bingo Premises

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

- a casino
- an adult gaming centre
- a betting premises, other than a track

Family entertainment Centre

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

- a casino
- an adult gaming centre
- a betting premises, other than a track

6.10.26 Part 7 of the Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

6.11 Premises 'ready for gambling'

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

6.11.2 Premises licence applications will be considered upon application. Where applicants do not have the right to occupy and/or does not have an operating licence issued by the Gambling Commission, the applicant will be advised to submit a provisional statement instead.

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

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

6.11.4 Applicants should note that this 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.

6.11.5 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

6.12 Location

6.12.1 The Council will not consider demand issues with regard to the location of premises but will consider the potential impact of the location on the licensing objectives in its decision making. In line with the Commission's Guidance to Licensing Authorities, the Council 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.

6.12.2 With regards to these licensing objectives, it is the Council's policy, upon receipt of any relevant representation to look at specific location issues which include:

- the possible impact that a gambling premises may have on any sensitive premises that provide services to children, young people or vulnerable people; e.g. a school or vulnerable adult centre;
- the possible impact a gambling premises may have on a residential area where there is a high concentration of families with children;
- the nature and size of the gambling activities taking place;
- any levels of crime in the area.

6.12.3 A local area profile will be produced by the authority and published on its website. This will highlight areas, if any, within the district which the licensing authority, in consultation with the responsible authorities and other partner agencies (in particular, the Public Health unit of Hertfordshire County Council), considers presenting higher than normal risks for the location of a gambling premises. This may be due to large levels of vulnerable persons living in a particular locality, the proximity of a school, youth centre or medical facility, a high level of deprivation, or other factors which the authority believes should be taken into consideration.

6.12.4 We expect operators, both when applying for new premises licences and when reviewing their existing premises, to take account of our local area profile within their own local risk assessments (described below), and to implement suitable

and sufficient measures to mitigate any risks identified which may arise as a result of the opening or continuation of trade at those premises.

6.12.5 We will use the local area profile in assessing premises licence applications and the risk assessments supplied by the applicant or existing licence holders.

6.12.6 The Council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives before the location can be considered as inappropriate for a licensed premises. It is a requirement of the LCCP, under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.

6.12.7 The LCCP say that licensees must review (and update as necessary) their local risk assessments:

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

6.12.8 This authority will expect the local risk assessment to consider as a minimum:

- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the demographics of the area in relation to vulnerable groups;
- whether the premises is in an area subject to high levels of crime and/or disorder.

6.12.9 Local risk assessments should show how all vulnerable people, including people with gambling dependencies are protected.

6.12.10 This authority would also strongly recommend that the following matters are considered by operators when making their risk assessment, and they have taken action, in the form of conditions, where the operators have not

demonstrated that they are sufficiently mitigating the risks. This list is not exhaustive and other factors not in this list that are identified must be taken into consideration:

- Information held by the licensee regarding self-exclusions and incidences of underage gambling;
- Gaming trends that may reflect benefit payments;
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends;
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall.
- Assessing staffing levels when a local college or similar establishment closes for the day, and the students begin to vacate the grounds;
- Proximity of machines to the entrance door.
- Age verification policies including ‘Think 21’ and ‘Think 25’.
- Consideration of line of sight from the counter to gambling machines;
- Larger operators (e.g. William Hill, Coral, Ladbrokes, Betfred, and Paddy Power) are responsible for conducting/taking part in underage testing, the results of which are shared with the Gambling Commission. However, operators are urged to also make the results available to licensing authorities. Where the licensing authority receives intelligence in relation to failed ‘Think 21’ or similar test purchases, the licensing authority would encourage the consideration of additional tasking over the standard once a year visits as a means of assessing risk.
- Providing the licensing authority with details when a child or young person repeatedly attempts to gamble on their premises. This may provide the Licensing Authority with an opportunity to consider safeguarding concerns.
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area, street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

6.12.11 The authority would expect a risk assessment to be tailored to each premises and not solely based on a ‘standard’ template. The Council would also expect that each assessment is completed by a suitably competent person.

6.12.12 It will be the responsibility of the gambling operator to assign the assessor for assessing the local risks for their premises. The person assigned as the assessor must be competent to undertake this role as failure properly to carry out this function could result in a breach of the provisions of the LCCP. The Commission has not produced any guidance on the competencies of assessors; however, the Council would expect the assessor to understand how the premises operate or will operate, its design, and where it is located. The assessor will need to understand the local area and can use staff or area managers to assist in gaining an understanding of that local area. The assessor should also be suitably experienced in assessing gambling related risk and identification of appropriate controls.

6.12.13 The authority expects that local risk assessments are kept on the individual premises and are available for inspection.

6.12.14 It should be noted that this policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how potential concerns can be overcome.

6.12.15 This authority expects that local risk assessments and any supplementary information, such as plans, local statistical data, etc., would be presented to this authority as part of any application for a new or variation of a licence.

6.13 Planning

6.13.1 The Commission's Guidance to Licensing Authorities states:

(Para. 7.58) –

In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. Equally, licences should only be issued where they are expected to be used for the gambling activity named on the licence. This is why the Act allows a potential operator to apply for a provisional statement if construction of the

premises is not yet complete, or they need alteration, or he does not yet have a right to occupy them.

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

(Para. 7.65) –

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

6.14 Duplication with other regulatory regimes

6.14.1 This licensing authority seeks to avoid any duplication with other statutory or regulatory systems where possible, including planning. This 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 are not able to be met by licensees due to planning restrictions, should such a situation arise.

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

6.15 Licensing Objectives

6.15.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, we have considered the Commission's Guidance and have set out our policy in Part B.

6.16 Conditions

6.16.1 The Secretary of State has set mandatory and default conditions and the Commission has set Licence Conditions and Codes of Practice on Operator's Licences which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the Council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.

6.16.2 If the licensing authority is minded to impose conditions because there are regulatory concerns of an exceptional nature, then any additional licence conditions must relate to the licensing objectives.

6.16.3 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.

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

6.16.5 This licensing authority will also consider specific measures that may be required for buildings that 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 Commission's Guidance.

6.16.6 This authority will also consider whether additional safeguards are necessary in premises where category C or above machines are on offer and children are admitted. Each premise will be considered individually, and additional safeguards may include:

- 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.

6.16.7 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 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.

6.16.8 It is noted that there are conditions that 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 Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and,

- Conditions in relation to stakes, fees, winning or prizes.

6.17 Door Supervisors

6.17.1 The Commission advises in its Guidance for licensing authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require entrances to the premises are controlled by door supervisors in order to protect of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. The licensing authority is entitled, under those circumstances, to impose a premises licence condition to this effect.

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

6.18 Adult Gaming Centres

6.18.1 An Adult Gaming Centre (AGC) is one of three types of amusement arcade. This type of arcade can provide higher pay-out gaming machines (Category B3 and B4) and access is restricted to persons who are aged 18 years or over.

6.18.2 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

6.18.3 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.

6.19 Licensed Family entertainment Centres

6.19.1 A Licensed family entertainment centre (LFEC) is the second type of amusement arcade. This type of arcade can provide the lowest two categories of gaming machine (category C and D). Children can enter an LFEC, but they can only gamble on category D machines. All category C machines must be located in a separate area, which can only be accessed by persons who are aged 18 years or over.

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

6.19.3 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.

6.19.4 This licensing authority will, as per the 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. This licensing authority will also make itself aware of any mandatory or default conditions on these premises' licences, when they have been published.

6.20 Casinos

The Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games. Casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines. Large and small casinos can also provide betting machines.

6.20.1 This licensing authority 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 this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

6.21 Bingo Premises

6.21.1 A Bingo Hall is a place in which Bingo is played. There is no legal definition of Bingo, but it is a game in which players mark off numbers on cards as the numbers are drawn randomly by the caller, the winner being the first person to mark off all the numbers on their card.

6.21.2 The Commission's Guidance states at paragraph 18.5: "Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence." This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

6.21.3 This authority notes the Guidance at paragraph 18.9 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

6.21.4 The authority also notes the Guidance at paragraph 18.7 that children and young people are allowed into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

6.22 Betting Premises

6.22.1 The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at racecourses as well as the general betting premises licences that track operators will require.

6.22.2 With regard to betting machines, Section 181 of the Act states:

"A condition of a betting premises licence may relate to –

a) the number of machines used on the premises for the purpose of making or accepting bets;
b) the nature of those machines;
c) the circumstances in which those machines are made available for use."

6.22.3 When considering whether to impose a condition on a licence the council will 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.

6.22.4 Where certain measures are not already addressed by the mandatory and default conditions and the Commission's Codes of Practice or by the applicant, the council may consider licence conditions to address such issues.

6.23 Gaming Machines in gambling premises

6.23.1 The Social responsibility code provisions 9.1.1 and 9.1.2 deal with the provision of gaming machines in betting and bingo premises respectively.

Both provisions state that:

6.23.2 Gaming machines may be made available for use on licensed betting/bingo premises only where there are also substantive facilities for non-remote betting/bingo, provided in reliance on this licence, available at the premises.

6.23.3 In both cases the provisions require:

- facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times; and

- the license must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purpose of providing betting/bingo facilities.

6.24 Tracks

6.24.1 There are no, or very few, opportunities for betting at tracks within the Borough. Only one premises licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.

6.24.2 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 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.

6.24.3 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.

6.24.4 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.

6.24.5 Gaming machines - Where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

6.24.6 Betting machines - This licensing authority will, as per Part 6 of the 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.

6.24.7 Applications and plans - The Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgment about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity.

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

6.24.9 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.

6.24.10 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

6.24.11 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of betting facilities is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan.

6.25 Travelling Fairs

6.25.1 It will fall to this 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.

6.25.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

6.25.3 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. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

6.26 Provisional Statements

6.26.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

6.26.2 Section 204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

6.26.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

6.26.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

6.26.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

6.26.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage; or
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to

the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

6.27 Reviews

6.26.1 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:

- In accordance with any relevant code of practice issued by the Commission;
- In accordance with any relevant guidance issued by the Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority's statement of licensing policy

6.26.2 The licensing authority will consider whether the request is frivolous, vexatious, or whether it will cause it to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

6.26.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence based on any reason, which is considered appropriate.

6.26.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28-day period. This period begins 7 days after the application was received by the licensing authority, which will publish notice of the application within 7 days of receipt.

6.26.5 The licensing authority must carry out the review as soon as possible after the 28-day period for making representations has passed.

6.26.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are: -

- add, remove or amend a licence condition imposed by the licensing authority;

- exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g., opening hours) or remove or amend such an exclusion.
- suspend the premises licence for a period not exceeding three months; and
- Revoke the premises licence.

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

6.26.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

6.26.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder ▪ the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

6.27 Permits/Temporary an Occasional Use Notices

Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 paragraph 7)

6.27.1 An unlicensed family entertainment centre (FEC) is the third type of amusement arcade. The category of machine in this type of arcade is restricted to the lowest category D and children can enter and gamble.

6.27.2 Where a premises 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).

6.27.3 The Act 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 Commission's Guidance for local authorities also states: "In their three-year licensing policy 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." (24.8)

6.27.4 Guidance further 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 applicants 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. (24.9)

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

6.28 Statement of Principles – Permits on unlicensed FECs

6.28.1 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;
- Measures/training covering how staff would deal with children causing perceived problems on/around the premises
- Demonstrate an awareness of local school holiday times and how to contact the local education office should truants be identified.

6.28.2 This licensing authority will also expect, as per Commission Guidance, that applicants:

- Demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- Have no relevant convictions (those that are set out in Schedule 7 of the Act), and in addition that any management and staff who will be working at the unlicensed FEC have no relevant convictions; and
- Have staff that are trained to have a full understanding of the maximum stakes and prizes.

6.28.3 Compliance with any relevant industry Code of Practice for FECs issued by BACTA or other trade associations may be taken by the licensing authority as evidence that (apart from the criteria relating to criminal convictions) the applicant has met the above.

6.28.4 Applicants must submit with their application two copies of plans of the premises, to a scale of 1:100, showing the exits/entrances to the premises, location of gaming machines.

6.28.5 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.

6.29 (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

6.29.1 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. The premises merely need to notify the licensing authority.

6.29.2 The licensing authority 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 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 Commission about the location and operation of the machine has been complied with);

    - The premises are mainly used for gaming; or
    - An offence under the Act has been committed on the premises.

6.29.3 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 Commission issued under Section 25 of the Act, and any "such matters" considered relevant.

6.29.4 This 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 harmed or being exploited by gambling. Stevenage Borough Council will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18-year-olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff 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/helpline numbers for organisations such as GamCare.

6.29.5 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.

6.29.6 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.

6.29.7 Notifications and applications for any number of machines will be dealt with by licensing authority officers.

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

6.30 Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))

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

6.30.2 This authority has not prepared a statement of principles. Should it decide to do so, details will be included in a revised version of the Statement.

6.30.3 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 Commission guidance.

6.30.4 It should be noted that there are conditions in the Act 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.

6.31 Club Gaming and Club Machine Permits

6.31.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Machine 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 Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

6.31.2 This licensing authority acknowledges the following guidance from the Commission:

"The Act states that 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 restricted to that of a prescribed kind (currently bridge and whist). Members' club must be permanent in nature, but there is no need for a club to have an alcohol licence." Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

6.31.3 The Guidance goes on to state 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."

6.31.4 There is also a 'fast-track' procedure available under the Act for premises that hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the 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."

6.31.5 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.

6.32 **Temporary Use Notices**

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

6.32.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e., a non-remote casino operating licence.

6.32.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

6.32.4 There are a number of statutory limits as regards temporary use notices. Discussion of the meaning of "premises" can be found in Part 7 of the Commission’s Guidance to Licensing Authorities. 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. The Act defines "premises" as including "any place".

6.32.5 In considering whether a place falls within the definition of "a set of premises", the Council will look at, amongst other things, the ownership/occupation and control of the premises.

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

6.33 Occasional Use Notices

6.33.1 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.

6.34 Small Society Lotteries

6.34.1 This licensing authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

6.34.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

6.34.3 Charities and community groups should contact this licensing authority on 01438 242242 or at Licensing@stevenage.gov.uk to seek further advice.

7. Consultation

7.1 Stevenage Borough Council will consult widely upon this statement before finalising and publishing it. This is carried out in accordance with the Cabinet Office guidance on consultation principles, (published March 2018) which is available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles_1.pdf

7.2 The Gambling Act requires that the following parties are consulted by Licensing Authorities:

1) The Chief Officer of Police.

The authority has therefore consulted:

a) Hertfordshire Constabulary

2) One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:

a) British Amusement Catering Trade Association
b) British Casino Association
c) British Association of Leisure Parks, Piers and Attractions Ltd
d) Business in Sport and Leisure
e) British Beer and Pub Association
f) Association of British Bookmakers
g) The Bingo Association
h) National Casino Forum
i) Ladbrokes Coral Group
j) Mecca Bingo Ltd
k) William Hill Organisation Ltd
l) Paddy Power Betfair
m) Betfred
n) Admiral Casino
o) Future Machines Ltd

3) 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. The authority has therefore consulted:

a) Gambling Commission
b) Licensing Authority
c) Planning and Development, Stevenage Borough Council
d) Hertfordshire Fire and Rescue Service
e) Environmental Health
f) HM Revenues and Customs
g) Local Safeguarding Children Board
h) Community Safety/Development Stevenage Borough Council
i) Stevenage Town Centre Manager
j) Stevenage Community Safety Partnership
k) Clubs with club premises certificates under the Licensing Act 2003
l) Premises with licences permitting the sale of alcohol on the premises under the Licensing Act 2003
m) Stevenage PubWatch
n) Existing Gambling Permit holders
o) Residents and local media
p) East and North Herts NHS Trust
q) North Herts Council for Voluntary Services
r) Stevenage Citizen's Advice Bureau
s) Stevenage Community Trust
t) North Hertfordshire College
u) Hertfordshire Chamber of Commerce
v) GamCare

8. Monitoring and Review

8.1 This policy will be reviewed by the relevant Business Unit's Head of Service or Service Manager every 3 years (see page 1 for details of Business Unit) or earlier if there is a change in legislation. Where more than 10% of the policy content is changed the Assistant Director and appropriate Portfolio Holder will be required to decide if the policy needs to be formally reconsidered by the Executive or appropriate decision-making body.

8.2 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit's Assistant Director will be notified. If the Assistant Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9. References and Resources

Gambling Act 2005 (legislation.gov.uk)
Hertfordshire Gambling Harms Strategy 2024 | Hertfordshire County Council
Guidance to licensing authorities (gamblingcommission.gov.uk)
Equality Act 2010 (legislation.gov.uk)
Hertfordshire Safeguarding Children Partnership | Hertfordshire County Council
Data Protection Act 2018 (legislation.gov.uk)
Regulator's code | ICO
Licensing Act 2003 (legislation.gov.uk)
Talk to us now - GamCare
LCCP Condition 3.1.1 - Combating problem gambling (gamblingcommission.gov.uk)

10. Abbreviations and Definitions

EDI	Equality, Diversity and Inclusion
GDPR	General Data Protection Regulation
PSED	Public Sector Equality Duty
SBC	Stevenage Brough Council
FEC	Family Entertainment Centre
AGC	Adult Gaming Centres
TUN	Temporary Use Notices
OUN	Occasional Use Notices
uFEC	Unlicensed Family Entertainment Centre
PSED	Public Sector Equality Duty
CSE	Child Sexual Exploitation
LCCP	Licence Conditions Codes of Practice

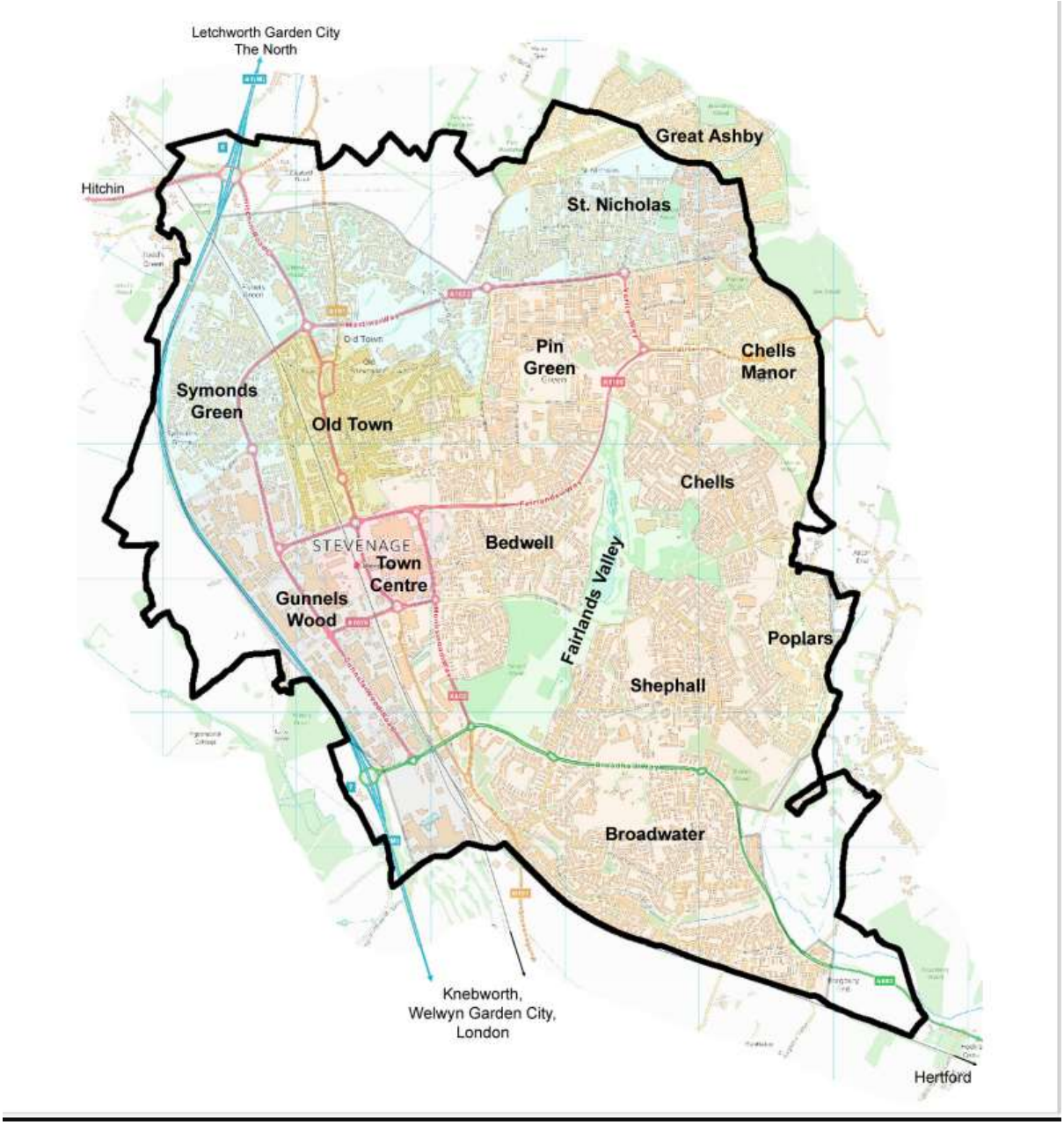
11. Appendices

Appendix A - Map of Stevenage Borough Council Area
Appendix B - Responsible Authorities
Appendix C - Summary of gaming machine categories and entitlements
Appendix D - Table of Delegations
Appendix E - Glossary of Terms

12. Version History

Date	Outlined Amendments	Author
04.12.2024	Draft Approved by GP Committee	Julie Dwan
15.01.2025	Draft Approved by Cabinet	Julie Dwan
26.02.2025	Final Draft Approved by Council	Julie Dwan

Appendix A – Map of Stevenage Borough Council Area



Appendix B – Responsible Authorities

Responsible Authority	Contact Details
Environmental Health	Commercial Environmental Health Manager Stevenage Borough Council Daneshill House Danestrete Stevenage Herts. SG1 1HN envhealth@stevenage.gov.uk
Safeguarding Children Board	Safeguarding Manager Hertfordshire Safeguarding Children Partnership Postal Point CH0116 Room 152, County Hall Pegs Lane Hertford SG13 8DF admin.hscb@hertfordshire.gov.uk
HM Revenues and Customs	National Registration Unit Portcullis House 21 India Street Glasgow G2 4PZ nrubetting&gaming@hmrc.gov.uk
Gambling commission	Victoria Square House Victoria Square Birmingham B2 4BP info@gamblingcommission.gov.uk

Responsible Authority	Contact Details
Licensing Authority	Stevenage Borough Council Daneshill House Danestrete Stevenage Herts. SG1 1HN licensing@stevenage.gov.uk
Hertfordshire Constabulary	Stevenage Police Station Lytton Way Stevenage Herts SG1 1HF LicensingEasternArea@herts.police.uk
Hertfordshire Fire & Rescue Service	Fire Protection Mundells – MU103 Welwyn Garden City AL7 1FT administration.cfs@hertfordshire.gov.uk
Planning	Head of Planning & Enforcement Stevenage Borough Council Daneshill House Danestrete Stevenage Herts. SG1 1HN plan.devcon@stevenage.gov.uk

Appendix C - Summary of gaming machine categories and entitlements.

Category of machine	Maximum stake (from April 2019)	Maximum prize (from Jan 2014)
A	Unlimited – No category A gaming machines are currently permitted	Unlimited – No category A gaming machines are currently permitted
B1	£5	£10,000‡
B2	£2	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100

Category of machine	Maximum stake (from April 2019)	Maximum prize (from Jan 2014)
D – non-money prize	30p	£8
D – non-money prize (crane grab machines only)	£1	£50
D – money prize	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machines only)	20p	£20 (of which no more than £10 may be a money prize)

References

† With option of max £20,000 linked progressive jackpot on premises basis only

	Machine *category*						
Premises type	**A**	**B1**	**B2**	**B3**	**B4**	**C**	**D**
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo premises[1]				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**			No limit on category C or D machines
Adult gaming centre[2]				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**			No limit on category C or D machines
Licensed Family entertainment centre[3]							No limit on category C or D machines
Family entertainment centre (with permit)[3]							No limit on category D machines
Clubs or miners' welfare institute (with permits)[4]				Maximum of 3 machines in categories B3A or B4 to D*			

	Machine *category*						
Premises type	**A**	**B1**	**B2**	**B3**	**B4**	**C**	**D**
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

[1] Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight (The Gambling Act 2005 (Gaming Machines in Bingo Premises) Order 2009 (opens in new tab)) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

[2] Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.

[3] Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

[4] Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

[5] Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Appendix D – Table of Delegations

The Licensing Authority will delegate its functions under the Gambling Act 2005 as follows:

Matter to be dealt with	Full Council	Licensing Committee	Officers
Final Approval of 3-year Gambling Statement of Principles	**X**		
Policy not to permit Casinos	**X**		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ 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/ 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/ have been withdrawn
Cancellation of club gaming/club machine permits		**X**	

Matter to be dealt with	Full Council	Licensing Committee	Officers
Applications for other permits			X
Application for permits in alcohol licensed premises (for any number of machines)			X
Cancellation of licensed premises gaming machine			X

Matter to be dealt with	Full Council	Licensing Committee	Officers
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice			X
Determination as to whether a representation is relevant.			X
Fee Setting (within bands)			X
Small society lottery registration			X

Appendix E – Glossary of Terms

Term	Definition
Act	Gambling Act 2005
Adult Gaming Centres	Commercial premises offering a variety of games and gaming machines. Category B, C and D gaming machines available.
Betting Premises	Currently known as a betting office
Bingo Premises	A commercial club which promotes equal chance gaming in the form of cash or prize bingo.
Casino	A commercial gaming club whereby people are given an opportunity to participate in one or more casino games. Casino games are defined as a game of chance which is not equal chance gaming.
Club gaming permits	Members club (not commercial clubs) permits which authorise the establishment to provide gaming machines, equal chance gaming, and games of chance.
Code of Practice	Any code of practice under section 24 of the Gambling Act 2005
Default condition	A specified condition provided by regulations to be attached to a licence, unless excluded by Stevenage Borough Council
Family entertainment centres (FEC)	A centre with a variety of rides and games including amusement machines and skills games. Licensed FECs provide category C and D machines. Unlicensed FECs provide category D machines only, and are regulated through FEC gaming machine permits.
Gaming Machine	A game of chance machine which requires coins or tokens to be activated
Interested Party	Defined by the Act as a person who: Lives sufficiently close to the premises to be likely to be affected by the authorised activities;

Term	Definition
	Has business interests that might be affected by the authorised activities; Represents persons who satisfy a) or b) above
Licensing Authority	Stevenage Borough Council
Licensing Committee	This term shall include any duly constituted Licensing Sub-Committee.
Licensing objectives	There are 3 licensing objectives defined in the Gambling Act as: 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
Mandatory Condition	A specified condition provided by regulations to be attached to the licence
Premises	Any place
Prize gaming permits	A permit issued to authorise the provision of facilities for gaming with prizes
Regulations	Regulations made under the Gambling Act 2005
Responsible Authority	Defined by the Act as: 1) Licensing Authority 2) Gambling Commission 3) Police 4) Fire Service 5) Planning 6) Environmental Health 7) Child Protection Committee 8) HM Revenue and Customs
Small Society Lottery	A lottery promoted on behalf of a non-commercial society that is registered by the licensing Authority
Temporary Use Notices	These allow use of a premises for gambling where there is no premises licence, but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling

Term	Definition
Tracks	Tracks are sites that include horse racecourses and dog tracks
Travelling Fair	A fair consisting wholly or principally of the provision of amusements, provided by people who travel from place to place providing fairs AND in a place which has been used for no more than 27 days in that calendar year
Vulnerable persons	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.