

# **Gambling Act 2005**

## **Statement of Licensing Principles**

**2022 - 2025**

Draft

### **Licensing**

Author: Licensing Manager  
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## 1. Purpose Statement

- 1.1 Section 349 of the Gambling Act 2005 (the Act) requires the Licensing Authority to prepare a statement of principles that they propose to apply in exercising their functions under this Act.
- 1.2 Any decision taken by the Licensing Authority in regard to the determination of licences, permits and registrations under the Act should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives, which are:
  - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
  - Ensuring that gambling is conducted in a fair and open way
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling (“the Licensing Objectives”)
- 1.3 The Licensing Authority will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.
- 1.4 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 is:
  - In accordance with any relevant code of practice issued by the Gambling Commission
  - In accordance with any relevant guidance issued by the Gambling Commission
  - Reasonably consistent with the licensing objectives and
  - In accordance with the authority’s statement of licensing policy
- 1.5 The Policy provides advice to applicants about the procedure and approach to take when making an application and aims to ensure that activities covered under the Gambling Act 2005 operate in a safe and fair manner and are sensitive to the local area in which they are situated.
- 1.6 In producing this licensing policy statement, the Licensing Authority has had regard to the Licensing Objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission, and responses received from those consulted on the policy statement.

## 2. Who the policy applies to

- 2.1 This Statement of Licensing Policy will assist applicants, members of the Licensing Committee, and persons making representations, in the consideration of the relevant issues regarding applications, and ensuring they are dealt with fairly in line with the law.
- 2.2 This Policy also affords members of the Licensing Committee and officers alike, to consider the concerns of the public and other recognised bodies, and to take appropriate measures where the objectives of the Licensing Act 2003 are put in jeopardy after licences have been issued.
- 2.3 The Act requires that BCP Council 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 Gambling Commission
  - in accordance with any relevant guidance issued by the Gambling Commission
  - reasonably consistent with the licensing objectives, and

- in accordance with the authority's statement of licensing policy

2.4 Should you have any comments about this policy statement please send them via e-mail to [licensing@bcpcouncil.gov.uk](mailto:licensing@bcpcouncil.gov.uk) or letter to the following contact:

The Licensing Manager  
The Licensing Team  
Town Hall  
Bourne Avenue  
Bournemouth  
BH2 6EB

### **3. This policy replaces**

3.1 This policy replaces the previous Gambling Act 2005 Statement of Licensing Policies that covered Bournemouth Borough Council, Christchurch Borough Council and The Borough of Poole.

### **4. Approval process**

- 4.1 BCP Council as the Licensing Authority has delegated the Licensing Committee to oversee the development and review of its Gambling Act 2005, Statement of Licensing Policy. Once finalised the policy is presented to the Full Council for ratification.
- 4.2 This policy was approved at a meeting of the full council on XX-XX-XXXX and will run for a period of three years commencing on XX-XX-XXXX.
- 4.3 This policy will be applied in the exercise of the Licensing Authority's functions under the Act during that period.
- 4.4 The policy will be reviewed from time to time, and in the light of any such review, it may be revised. Any such revision will be published before it takes effect.

### **5. Policy Consultation**

- 5.1 Section 249 of the Act requires that licensing authorities consult with the following on their policy statement or any subsequent revision:
- the Chief Officer of Police;
  - one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
  - one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005
- 5.2 In developing this statement, the Licensing Authority followed best practice as set by the Code of Practice on Consultation. Full public consultation took place for 12 weeks between XXXX – XXXX and the results of this were considered by the Licensing Committee on XXXX prior to the adoption of this policy.

## 6. Links to Council Strategies

- 6.1 This Policy supports the BCP Council Corporate Strategy  
<https://www.bcpCouncil.gov.uk/About-the-council/Strategies-plans-and-policies/CorporateStrategy/Corporate-Strategy.aspx>.
- 6.2 The Council's vision is to create vibrant communities with outstanding quality of life where everyone plays an active role. Effective licensing of controlled premises and activities is key to achieving this strategic vision for our communities.
- 6.3 The Licensing Authority aims to meet the BCP Council Corporate priorities regarding Dynamic Places and Connected Communities by ensuring the licensing process supports local businesses. We aim to help them to meet their statutory obligations and keep residents and visitors to our licensed venues safe, whilst still having an enjoyable leisure experience.  
<https://www.bcpCouncil.gov.uk/About-BCP-Council/bcp-council-docs/BCP-Corporate-Strategy.pdf> <https://www.dorset.police.uk/media/2768/bpd-alcohol-drugs-strategy-2016-2020.pdf>
- 6.4 During the preparation of this policy document due consideration has been given to the following key BCP Council Strategies.
- Corporate Plan
  - Health & Wellbeing Strategy
  - Safeguarding Strategy
  - Communities Engagement Strategy
  - Crime & Disorder Reduction Strategy
  - Equality & Diversity





- 7.5 The area offers a vibrant mix of entertainment facilities for residents and visitors alike with two established theatres, restaurants, cinemas, concert venues, museums and historic sites. The entertainment economy is well served with a wide variety of restaurants, pubs, bars and clubs.
- 7.6 Further information and statistics relating to BCP Council can be found via the following link: <https://www.bcpCouncil.gov.uk/Council-and-Democratic/Consultation-And-Research/Local-Data/Local-Data.aspx>

## **8. Licensing Framework**

- 8.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.
- 8.2 The Gambling Commission issues operators licences and personal licences. Any operator wishing to provide gambling at a certain premise must have applied for the requisite personal licence and operator licence before they can approach the council for a premises licence. In this way the Gambling Commission can screen applicants and organisations to ensure they have the correct credentials to operate gambling premises.
- 8.3 The Licensing Authorities role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The Council also issues various permits and notices to regulate smaller scale and or ad hoc gambling in various other locations such as pubs, clubs and hotels.
- 8.4 The Licensing Authority does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.
- 8.5 In carrying out its functions the Licensing Authority will regulate gambling in the public interest. Any application received will be considered on its individual merits and in accordance with the requirements of the Act.
- 8.6 The Licensing Authority will seek to avoid any duplication with other regulatory regimes so far as possible. There is a clear separation between the Gambling Act, the Licensing Act 2003 and planning legislation and that licensing applications will be viewed independently of applications under the Licensing Act 2003 and planning.
- 8.7 The Licensing Authority will, in particular, when considering its functions in relation to applications and enforcement have regard to the Human Rights Act 1998.
- 8.8 The Licensing Authority is well aware of online gambling but accepts that it has no direct enforcement powers for this.

## **9. Declaration**

- 9.1 This statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

9.2 In producing this document, the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

## 10. Responsible Authorities

10.1 The Act empowers certain agencies to act as Responsible Authorities (RA) so that they can use their expertise in a particular area to help promote the licensing objective. The RA's are able to make representations about licence application or apply for a review of an existing licence, they may also offer advice and guidance to applicants.

10.2 The Licensing Authority is required under section 157(h) of the Act to designate, in writing, a body competent to advise the Licensing Authority about protection of children from harm, the following principles are applied:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area;
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group; and
- whether the body has experience in relation to protection of children issues.

10.3 The Licensing Authority designates the Children's Social Care Services of BCP Council Safeguarding Partnership for the purpose of providing advice about protection of children from harm.

## 11. Interested parties

11.1 Interested parties are people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Act as person who

- lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- has business interests that might be affected by the authorised activities; or
- represents persons who satisfy either of the two sub-paragraphs above.

11.2 The Licensing Authority is required to state the principles it will apply to determine whether a person is an interested party. The principles are

- Each case will be decided upon its own merits. The Licensing Authority will not apply a rigid rule to its decision making consider examples provided in the Gambling Commissions Guidance to local authorities;
- In order to determine if an interested party lives or has business interests, sufficiently close to the premises to be likely to be affected by the gambling activities, the council will consider factors such as the size of the premises and the nature of the activities taking place. distance of the premises from the location of the interested parties;

11.3 In determining whether a business interest is "likely to be affected", the Licensing Authority will have regard to such of the following factors as it considers appropriate to the circumstances:

- the size of the premises;
- the "catchment" area of the premises (i.e. how far people travel to visit);



- the nature of the business that it is suggested might be affected; and
- such other factors as it considers are relevant.

11.4 In determining whether a person is regarded as representing a person in either of the other two Interested Party categories, the Licensing Authority in particular considers that the following may fall within this category:

- Members of Parliament or Elected Councillors;
- Residents' and tenants' associations; and
- Trade unions and trade associations

11.5 The Licensing Authority will not necessarily consider a person as representing one of the other categories of Interested Party unless the person can demonstrate:

- that they have specifically been requested in writing to represent that person and / or business in relation to the submission of the representation; and / or
- that, in the case of a body, it represents a significant number of persons that have made submission with regard to the representation.

## **12. Exchange of information**

12.1 Licensing Authorities are required to include within their policy statement the principles it will use to exchange information between it and the Gambling Commission as well as other parties listed in Schedule 6 of the Act.

12.2 The Licensing Authority will act in accordance with the provisions of the Act in its exchange of information which includes the provisions that the General Data Protection Regulations and the Data Protection Act 2018 will not be contravened.

12.3 The Licensing Authority will exchange information with other regulatory bodies and will establish protocols in this respect. In exchanging such information, the Licensing Authority will meet the requirements of data protection and freedom of information legislation.

12.4 Any matters of noncompliance will be reported to the Gambling Commission.

## **13. Licensing Authority functions**

13.1 Licensing authorities are responsible under the Act for:

- licensing premises where gambling activities are to take place by issuing premises licences
- issuing provisional statements
- regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issuing Club Machine Permits to commercial clubs
- granting permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centre's
- receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines
- granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- registering small society lotteries below prescribed thresholds
- issuing Prize Gaming Permits

- receiving and endorsing Temporary Use Notices
- receiving Occasional Use Notices (for tracks)
- providing information to the Gambling Commission regarding details of licences issued (see section above on 'Exchange of information')
- maintaining registers of the permits and licences that are issued under these functions.

13.2 The Licensing Authority will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operator licences.

## **14. Promotion of licensing objectives**

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

- 14.1 The Gambling Commission will take a lead role in keeping gambling crime free through its vetting process for applicants for personal and operator licences.
- 14.2 The council's main role is to try and promote this area with regard actual premises. Thus, where an area has known high levels of organised crime the council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be required such as the provision of door supervision.
- 14.3 Issues of disorder or anti-social behaviour will be considered as activities that are more serious and disruptive than mere nuisance. In order to make the distinction, when incidents of this nature occur, the Licensing Authority will consider a number of factors such as whether police assistance was required and how threatening the behaviour was to those who heard or saw it.
- 14.4 Issues of nuisance cannot always be specifically addressed by the Gambling Act provisions however problems of this nature can be addressed through other legislation as appropriate.

### **Ensuring Gambling is conducted in a fair and open way**

- 14.5 The Licensing Authority is aware that except in the case of tracks generally, the Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- 14.6 However, the Licensing Authority will communicate any concerns to the Gambling Commission about misleading advertising, or any absence of required game rules or other matters as set out in the Gambling Commission's Licence Conditions and Code of Practice.

### **Preventing children and other vulnerable persons from being harmed or exploited by gambling**

- 14.7 This licensing objective requires that the Licensing Authorities will ensure that the premises have taken steps to prevent children from accessing most types of gambling. This will include such matters as adequate supervision of entrances or access to machines and the layout of the premises and segregation of areas.
- 14.8 If the operator fails to satisfy the licensing authority that the risks are sufficiently mitigated, it may be appropriate to conduct a review of the premises licence

- 14.9 The Licensing Authority will pay particular attention to the Gambling Commission Code of practice on access to casino premises by children and young persons.
- 14.10 The Act does not seek to prohibit particular groups of adults from gaming in same way as it prohibits children. There is no definition of vulnerable adult but for regulatory purposes the Gambling Commission assumes this group includes people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.
- 14.11 In the case of premises licences the Licensing Authority is aware of the extensive requirements set out for operators in the Gambling Commission's Code of Practice regarding social responsibility.
- 14.12 All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.
- 14.13 Applicants should consider the following proposed measures for protecting and supporting vulnerable people, for example:
- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
  - training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect people who may be vulnerable (see 12.4.1).
  - trained personnel for the purpose of identifying and providing support to vulnerable people
  - self-exclusion schemes
  - operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
  - posters with GamCare Helpline and website in prominent locations
  - windows, entrances and advertisements not to be positioned or designed to entice children or vulnerable people.
- 14.14 It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.
- 14.15 The Licensing Authority may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

## **15. Local risk assessments**

- 15.1 The Gambling Commission's Licence Conditions and Codes of Practice (LCCP) Social Responsibility Code 10.1.1 require all premises providing gambling facilities to assess the local risks to the licensing objectives and have policies, procedures and control measures to reduce those risks. In undertaking risk assessments licensees will be expected to take into account relevant matters identified in this policy.
- 15.2 The LCCP goes on to say that licensees must review (and update as necessary) their local risk assessments:

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

15.3 The Licensing Authority will expect the local risk assessment to consider as a minimum:

- The proximity of the premises to schools.
- The commercial environment.
- Factors affecting the footfall.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups.
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.

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

- The training of staff in intervention when customers show signs of excessive gambling, the ability of staff to offer intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusion schemes and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gambling trends.
- Gambling trends that may mirror financial payments such as pay days, pay day loans or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
  - dedicated and trained personnel,
  - leaflets and posters,
  - self-exclusion schemes,
  - window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to game rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

15.5 The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

15.6 Other matters that the assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises and in particular the gaming machines and fixed odds betting terminals.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.
- Provisions to ensure the health and welfare of staff engaged in lone working.

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

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

## 16. Local area profile

16.1 Each locality has its own character and challenges. To assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Licensing Authority has published a Local Area Profile (LAP). Operators will need to consider the types of premises and their operation in the local area surrounding the premises in relation to the local profile that the Licensing Authority considers sensitive, these include:

- Educational facilities
- Community centres
- Vulnerable groups or venues relating to vulnerable groups i.e. homeless or rough sleeper shelters
- Hospitals
- Mental health care providers
- Gambling care providers
- Religious establishments

16.2 The LAP provides a better awareness of the local area and risks. Importantly, risk in this context includes potential and actual risks, thereby considering possible future emerging risks, rather than reflecting current risks only.

- 16.3 Information is already available on the Council's website [www.bcpccouncil.gov.uk](http://www.bcpccouncil.gov.uk) and can be obtained here <https://www.bcpccouncil.gov.uk/Council-and-Democratic/Consultation-And-Research/Local-Data/Local-Data.aspx>
- 16.4 The Local Area Profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers and representatives of Responsible Authorities to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The Local Area Profile will be presented to any subsequent licensing sub-committee when it determines an application that has received representations.
- 16.5 The Licensing Authority are aware that it is not a mandatory requirement to have a LAP but recognises the benefits of having one. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

## 17. Enforcement

### Enforcement Principles

- 17.1 The Licensing Authority will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation
- 17.2 Any enforcement will be taken having regard to guidance issued by the Gambling Commission and will endeavour follow these principles 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
Targeted	regulation should be focused on the problem, and minimise side effects

- 17.3 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 17.4 The main enforcement and compliance role for the council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences.
- 17.5 Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the council but will be notified to the Gambling Commission.
- 17.6 In circumstances where the council believes a premises requires a premises licence for gambling activities and no such licence is in force, the council will alert the Gambling Commission.



**General Requirements**

- 18.1 Premises licences will be subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions which will be detailed in Regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 18.2 Premises licences are issued to allow premises to be used for certain type of gambling. For example, premise licences will be issued to amusement arcades, bingo halls, book makers and casinos.
- 18.3 Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each operational area for which they must have regard. In determining any application, the Licensing Authority will also have regard to these Codes of Practice.
- 18.4 Definition of premises
- 18.5 Premises is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.
- 18.6 Particular care will be taken 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 the entrances and exits from parts of a building covered by one or more licences will need to show that they are separate and identifiable, so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
- 18.7 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that will be considered before granting such applications include whether children can gain access, compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.
- 18.8 An applicant cannot obtain a full premises licence until they have the right to occupy the premises to which the application relates.

**Premises Licences – conditions**

- 18.9 The Act, associated regulations and guidance enable mandatory conditions to be attached to such Premises Licences as may be specified.
- 18.10 Where there are specified risks or problems associated with a particular locality or premises or class of premises the Licensing Authority will attach specific conditions to address this.
- 18.11 Any conditions attached to a licence 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, and/or related to the area where the premises is based;
- fairly and reasonably related to the scale, type and location of premises;
- consistent with the licensing objectives, and;
- reasonable in all other respects.

18.12 Decisions about individual conditions will be made on a case by case basis, there will be a number of control measures the council will consider using, such as supervision of entrances, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types in this policy. The Licensing Authority will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively

18.13 Where certain measures are not already addressed by the mandatory/default conditions or by the applicant, the council may consider licence conditions to cover issues such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances.
- Supervision of machine areas.
- A reduction in the number of betting machines (betting premises).
- The manning of premises.
- Physical separation of areas.
- Location of entrance points.
- Notices/signage.
- Specific opening hours.
- A requirement that children must be accompanied by an adult (in premises where children are allowed).
- Enhanced DBS checks of the applicant and/or staff.
- Staff training in brief intervention, conflict resolution, basic knowledge of mental health, learning disabilities and addiction, including substance misuse.
- Support to people with gambling addiction, including brief intervention.
- Policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays.
- Policies to address the problems associated with truant children who may attempt to gain access to premises and gamble.
- Obscuring windows where appropriate and labelling premises so it's clear that they are gambling premises.

18.14 The list provided above is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the licensing authority and the responsible authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

18.15 It is noted that there are conditions the Licensing Authority cannot attach to premises licences, which are:

- any condition on the premises licence which make it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;

- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

### **Door supervision**

- 18.16 The need for door supervision will be assessed in terms of the licensing objectives of protection of children and vulnerable people from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.
- 18.17 It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority.
- 18.18 Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

## **19. Adult Gaming Centres**

- 19.1 Adult Gaming Centre (AGC) are a category of premises that most are like adult only amusement arcades. The Premises Licence is granted to make certain prescribed gaming machines available only to persons aged eighteen years and over.
- 19.2 Details of the machine categories and number permitted on a Premises License are in [Appendix C](#)
- 19.3 The Licensing Authority will have regard to the licensing objectives relating to children and vulnerable adults, as such it is expected that applicants must set out sufficient measures to ensure that under 18 years olds do not have access to the premises.
- 19.4 Where certain measures are not already addressed by the mandatory and default conditions and the Gambling Commission Codes of Practice or by the applicant, the Licensing Authority may consider attaching licence conditions to address such issues.

## **20. Licensed Family Entertainment Centres**

- 20.1 The Act creates two classes for FEC,s. This part deals with Licensed Family Entertainment Centres (FEC's) which provide category C and D machines and require a premises licence.
- 20.2 Licenced FEC's are commonly those premises that provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes.
- 20.3 Licensed FEC's are able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located (see Appendix C which outlines gaming machine categories).
- 20.4 The Licensing Authority will ensure that premises have suitable levels of staffing and supervision arrangements in place to prevent access and challenge children or young people from using Category C machines.

## 21. Casino

21.1 At the date of adoption of this Policy, the Licensing Authority has not passed a resolution preventing the grant of Casino Premises Licences in line with Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Licensing Authority decide in the future to pass such a resolution, it will update this statement with details of that resolution.

## 22. Bingo

22.1 There is no official definition for bingo in the Gambling Act 2005 however there is a category of premises licence specifically for bingo premises, which is used by traditional commercial bingo halls for both cash and prize bingo.

22.2 In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act (see Appendix C).

22.3 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines.

## 23. Betting Premises

23.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. 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 race courses as well as the general betting premises licences that track operators will require.

23.2 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the premises.

23.3 There is an expectation that licence holders will keep a record of any damage caused to any Fixed Odds Betting Terminals (FOBTs) by patrons; this report shall be made available to Council officers or the police on request. In cases of damage which result in the police being called to the premises, we expect this to be reported to the appropriate authority within 48 hours; notwithstanding the premises obligations of data collection for the annual regulatory return to the Gambling Commission.

### Betting machines

23.4 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other factors, 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.

23.5 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including FOBTs, then applicants should consider the control measures related to the protection of vulnerable people.

## 24. Tracks

- 24.1 Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place.
- 24.2 For betting to take place on a track a Betting Premises Licence will be required unless an Occasional Use Notice or Temporary Use Notice is in place.
- 24.3 Tracks may be subject to more than one Premises Licence, provided each area relates to a specified area of the track without overlap.
- 24.4 Children, young persons and other vulnerable persons are permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horseracing takes place. But having regard to the need to protect persons under eighteen from harm they should still be prevented from entering areas where gaming machines (other than category D machines) are provided.
- 24.5 In addition to the above and other relevant factors, the Licensing Authority in having regard to the need to protect children, young persons and other vulnerable persons from harm will normally, when making a decision, have regard to the size of the premises, the counter positions available for person- to-person transactions and the ability of staff to monitor the use of machines.

## 25. Travelling Fairs

- 25.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met and this provision continues in similar fashion under the 2005 Act.
- 25.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair (see Appendix C.)

## 26. Provisional Statements

- 26.1 The Licensing Authority will consider the issue of a premises licence for buildings completed to the satisfaction of the Licensing Authority who will take into account the guidance from the Commission when deciding if premises are finished.
- 26.2 A provisional statement may be applied for where the Licensing Authority has deemed the premises incomplete or, it has not been completed to the satisfaction of the Licensing Authority.
- 26.3 Following the grant of a provisional statement and on application for a premises licence, 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
  - in the authority's opinion, they reflect a change in the applicant's circumstances.
- 26.4 The Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage; or
- which in the authority's opinion reflect a change in the operator's circumstances

## 27. Reviews

27.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked, suspended or that conditions may amended or new conditions added.

27.2 Requests for review can be made by interested parties or RA;s, however, it is for the Licensing Authority to decide whether the review is to be carried out. The review will be on the basis of whether the request for the review is

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with this Authority's Gambling Act 2005 - Statement of Licensing Policy

27.3 In addition, the council may also reject the application on the grounds that the request is frivolous, vexatious, will certainly not cause this authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.

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



## Part C

### 28. Permits

- 28.1 Permits are required when premises provide a gambling facility but either the stakes and prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premise.
- 28.2 Holders of permits for gaming machines (except unlicensed family entertainment centres) will be required to comply with codes of practice, drawn up by the Commission on the location and operation of machines. Information on these codes can be found on the Commission's website.
- 28.3 Licensing authorities may only grant or reject an application for a permit. No conditions may be attached to a permit.

### 29. Unlicensed Family Entertainment Centres

- 29.1 The term unlicensed FEC is defined in the Act as a premises which are able to offer category D machines only subject to the issue of a permit.
- 29.2 Applications for this permit cannot be made if a Premises licence has been granted under this Act.

#### Statement of principles

- 29.3 In considering any application for an unlicensed FEC the Licensing Authority will expect the application to show that there are policies and procedures in place to protect children from harm. Harm is not limited to the harm from gambling but includes wider child protection considerations.
- 29.4 The Licensing Authority will consider each application on its own merits and consideration will be given to the following:
- appropriate measures and training for staff as regards suspected truant children on the premises
  - measures and training covering how staff would deal with unsupervised young children being on the premises
  - measures and training covering how staff would deal with children causing perceived problems on or around the premises
  - the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the latest Home Office and ACPO standards and to the satisfaction of Dorset Police and the licensing authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and licensing authority must be informed as soon as possible, and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation
- 29.5 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 29.6 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs
- That the applicant has no relevant conviction (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 prize.

29.7 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.

29.8 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

### **30. Gaming Machines in premises licenced for the sale of alcohol**

30.1 The Act provides an automatic entitlement to alcohol premises licenced holders to make available two gaming machines of category C or D. The premises has to notify the Licensing Authority of this.

30.2 In certain circumstances the Licensing Authority will use its power to remove this right.

30.3 If the premises want more than two machines, an application for a permit will be required and the Licensing Authority will consider the application based on the licensing objectives, the guidance issued by the Gambling Commission and any such matters that are considered relevant to the application.

30.4 The Licensing Authority consider that such matters will be decided on a case by case basis but generally it is expected that the applicant will demonstrate consideration of the need to protect children and vulnerable adults from harm or being exploited by gaming. Policies and procedures for the supervision of machines to ensure children and young people do not have access to adult gaming machines will be required.

30.5 The Licensing Authority can decide to grant the permit with a smaller number of machines and/or a different category of machines than that applied for.

30.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).

30.7 It is recognised that some alcohol licensed premises may apply for a premises licence for their non- alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.

30.8 Alcohol licensed premises are able to provide some limited equal chance gaming. Licensees are referred to the advice provided by the Gambling Commission and Appendix D of this document.

### **31. Prize Gaming**

31.1 The Act defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered and the prizes are displayed on the walls.

31.2 In addition to the statutory requirements, as part of any application for a Prize Gaming Permit, the Licensing Authority will require the following, in writing, in order to ensure that adequate information is provided to enable a proper assessment to be made:

- an up to date enhanced Criminal Records Bureau check
- details of any permit granted to the applicant that has previously been refused, lapsed, surrendered or forfeited
- details of any other permit held by the applicant in respect of other premises
- the nature of the prizes
- the proposed frequency of prize gaming at the premises
- details of any training and/or training programme on the limits of stakes, prizes and permissible gambling relating to such permits and
- details of any proposed precaution to secure the prevention of harm to persons under the age of eighteen and measures for implementing the same

### **Statement of principles**

31.3 In considering any application the Licensing Authority will normally have regard to the following:

- each case will be considered on its merits
- measures and training covering how staff would deal with unsupervised very young children being on the premises
- measures and training covering how staff would deal with children causing perceived problems on or around the premises
- the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the Home Office and ACPO standards as described PSDB leaflet 09/05 and to the satisfaction of Dorset Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation

31.4 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.

31.5 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:

- 30 A full understanding of the maximum stakes and prizes of the gambling that is permissible
- 31 That the gaming offered is within the law

31.6 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.

31.7 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

## 32. Club gaming and club machines

32.1 Members clubs and miners' welfare institutes may apply for a 'club gaming permit' or a 'club machine permit'. The 'club gaming permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming. i.e. poker, bingo etc. A 'club machine permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D).

32.2 Commercial clubs may apply for a 'club machine permit' only.

32.3 To qualify for these special club permits a members club must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

32.4 In circumstances where a club is only able or interested in the provision of gaming machines (as opposed to other forms of gaming), a Club Gaming Machine Permit authorises establishments to provide gaming machines where the establishment is a members club as referred to above.

32.5 Clubs must have regard to the protection of children and vulnerable people from harm or being exploited by gambling. They must provide sufficient measures to ensure that under 18-year-olds do not use the adult only gaming machines. These measures may include;

- the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised
- notices and signage
- the provision of information leaflets / helpline numbers for organisations such as GamCare

32.6 Before granting the permit the council will need to satisfy itself that the premises meets the requirements of a members' club and that the majority of members are over 18.

32.7 The council 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 they have applied
- b) the applicant's premises are used wholly or mainly by children and/or young people
- 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

32.8 There is also a 'fast-track' procedure available for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which the council can refuse a permit is reduced. The grounds on which an application under the process may be refused are;

- a) that the club is established primarily for gaming

- 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.

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## Part D - Notices

### 33. Temporary Use Notices

- 33.1 Temporary use notices allow the use of premises on not more than 21 days in any 12 month period 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 useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 33.2 Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.
- 33.3 Only people or companies holding a relevant operating licence can apply for a temporary use notice to authorise the particular class of gambling permitted by their operating licence.
- 33.4 A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice will be available in a separate guidance note.

### 34. Occasional Use Notices

- 34.1 Where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an Occasional Use Notice without the need for a Premises Licence.
- 34.2 The Act prescribes the requirements and process for using such Notices; this includes giving notice to the Licensing Authority and copying it to prescribed parties.
- 34.3 There is very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. However the Licensing Authority will consider the definition of a 'track' and whether the applicant is entitled to benefit from such notice.

### 35. Further information and evidence

The Gambling Act 2005	<a href="http://www.legislation.gov.uk/ukpga/2005/19/contents">http://www.legislation.gov.uk/ukpga/2005/19/contents</a>
Gambling Commission	<a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>
The Gambling Commission Licence Conditions and Codes of Practice (LCCP)	<a href="http://www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf">www.gamblingcommission.gov.uk/PDF/LCCP/Licence-conditions-and-codes-of-practice.pdf</a>
Dorset Public Health	<a href="http://www.publichealthdorset.org.uk">www.publichealthdorset.org.uk</a>
Gambling Aware	<a href="https://www.begambleaware.org/">https://www.begambleaware.org/</a>
Gamcare	<a href="https://www.gamcare.org.uk/">https://www.gamcare.org.uk/</a>
When the Fun Stops, Stop	<a href="http://www.whenthefunstops.co.uk/">http://www.whenthefunstops.co.uk/</a>
Gaming Machine Stakes and Prizes:	<a href="http://www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/Sector-specific-compliance/Arcades-and-machines/Gaming-machine-categories/Gaming-machine-categories.aspx">http://www.gamblingcommission.gov.uk/for-gambling-businesses/Compliance/Sector-specific-compliance/Arcades-and-machines/Gaming-machine-categories/Gaming-machine-categories.aspx</a>



## Appendix A – Glossary of terms

Term	Description
ATM	Auto teller machine or cash machine
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting machine/Bet receipt terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and blackjack etc
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the council.
Equal chance gaming	Gaming which does not involve playing or staking against a bank
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds
Fixed odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites
Lottery	A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more

Term	Description
	members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission)
Mandatory condition	A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The council will have no discretion to alter or remove these conditions.
Money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a money prize.
Non money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by:</p> <ul style="list-style-type: none"> <li>(i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or</li> <li>(ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.</li> </ul>
Odds	The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.
Off- course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.
On-course betting operator	The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Poole betting	<p>For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings:</p> <ul style="list-style-type: none"> <li>1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting</li> <li>2) Shall be divided among the winners or</li> <li>3) Shall or may be something other than money.</li> </ul> <p>For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.</p>
Representation	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation

Term	Description
	to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (RA)	RA's are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.
Sill machine/ Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine
Statement of principles document	A document prepared by the council which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place.

## Appendix B - Gaming Machines

This appendix describes the categories of gaming machine as set out in the Act (and in regulations) and the number of such machines that may be permitted in each type of gambling premises.

- Table 1 below sets out the different categories with the maximum stakes and prizes that apply.
- Table 2 shows the maximum number of machines permitted and in the case of casinos the ratios between tables and machines.

**Table 1**

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

**Table 2**

Premises Type	Machine category						
	A	B1	B2	B3	B4	C	D
<b>Large casino</b> (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)					
<b>Small casino</b> (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)					
<b>Pre-2005 Act Casinos</b> (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
<b>Betting premises and tracks operated by pool betting</b>		Maximum of 4 machines categories B2 to D (except B3A machines)					
<b>Bingo Premises<sup>1</sup></b>				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*		No limit C or D machines	
<b>Adult gaming centre<sup>2</sup></b>				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*		No limit C or D machines	
<b>Licensed family entertainment centre<sup>3</sup></b>						No limit C or D machines	
<b>Family entertainment centre (with permit)</b>							No limit on category D machines
<b>Clubs or miners' welfare institutes with permits<sup>4</sup></b>					Maximum of 3 machines in categories B3A or B4 to D*		
<b>Qualifying alcohol licensed premises</b>						1 or 2 machines of category C or D automatic upon notification	
<b>Qualifying alcohol licensed premises with licensed premises gaming machine permit</b>						Number of category C-D machines as specified on permit	
<b>Travelling fair</b>							No limit on category D machines
	<b>A</b>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>B4</b>	<b>C</b>	<b>D</b>

## Appendix C – Summary of gaming entitlements for clubs and pubs

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit	Pubs and other alcohol-licensed premises
<b>Equal chance gaming</b>	Yes	Bridge and/or whist only	Yes	Yes	Yes
<b>Limits on stakes</b>	No limit	No limit	<u>Poker</u> £1000 per week £250 per day £10 per person per game  <u>Other gaming</u> No limit	<u>Poker</u> £1000 per week £250 per day £10 per person per game  <u>Other gaming</u> No limit	<u>Cribbage &amp; dominoes</u> No limit  <u>Poker</u> £100 per premises per day  <u>Other gaming</u> £5 per person per game
<b>Limits on prizes</b>	No limit	No limit	<u>Poker</u> £250 per game  <u>Other gaming</u> No limit	<u>Poker</u> £250 per game  <u>Other gaming</u> No limit	<u>Poker</u> £100 per game  <u>Other gaming</u> No limit
<b>Maximum participation fees – per person per day</b>	<u>Bridge and/or whist*</u> £20  <u>Other gaming</u> £3	£18 (without club gaming permit)  £20 (with club gaming permit)	<u>Bridge and/or whist*</u> £18  <u>Other gaming</u> £3 (commercial club) £1 (members club)	<u>Bridge and/or whist*</u> £18  <u>Other gaming</u> £1	None permitted
<b>Bankers or unequal chance gaming</b>	Pontoon Chemin de Fer	None permitted	None permitted	None permitted	None permitted
<b>Limits on bingo</b>	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.