

# **Gambling Act 2005**

# **Statement of Principles**

**JANUARY 2022 – JANUARY 2025**

***Should you have any comments regarding this Statement of Principles then please send them by letter to:***

South Gloucestershire Council  
Department for Environment and Community Services  
Licensing Service  
PO Box 1954  
Bristol  
BS37 0DD

Or:

By e-mail to [licensing@southglos.gov.uk](mailto:licensing@southglos.gov.uk)

By telephone: 01454 868001

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# South Gloucestershire Council

## Gambling Act 2005 - Statement of Principles

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# PART A OVERVIEW

## 1. Introduction and Area Profile

1. South Gloucestershire Council is a Unitary Authority situated north and east of the city of Bristol. The Council area has a population of approximately 285,093 (ONS statistics published June 2020) making it the second largest in the South-west region. In terms of area, it covers 49,700 hectares, stretching from the River Severn in the west to the Cotswolds in the east. Its southern boundary skirts Bristol abuts the River Avon and extends almost to Bath, and its northerly boundary lies beyond Falfield on the A38. The Council area is a mixed urban and rural district with a dispersed population that includes the towns of Bradley Stoke, Filton, Kingswood, Thornbury and Yate. There are five priority neighbourhoods in South Gloucestershire; the areas of Patchway, Staple Hill, Kingswood, Cadbury Heath, and Yate and Dodington; defined using the English Indices of Deprivation. Analysis of the priority neighbourhoods can be seen at [English Indices of Deprivation 2019 South Gloucestershire Priority Neighbourhood Analysis \(southglos.gov.uk\)](https://www.southglos.gov.uk/English-Indices-of-Deprivation-2019-South-Gloucestershire-Priority-Neighbourhood-Analysis).

The role of the priority neighbourhood's team within the council is to help coordinate the approach such as:

- supporting the community lead groups in their running and in any new project
- linking with departments and agencies to maximise the potential of their involvement
- gathering information on services and new initiatives both national and local to inform our work

Officers of the Licensing Service will continue to work in partnership with the priority neighbourhood's team to map the following in the South Gloucestershire district:

- local education facilities
- addiction centres
- drug/alcohol/gambling treatment centres
- community centres
- vulnerable groups
- gambling premises
- crime hot spots
- ethnic groups
- supported accommodation/hostels
- doctors' surgeries
- places of worship
- areas of multiple deprivation
- ASB figures
- play areas
- those seeking job seekers allowance

A map of the district can be seen at **Appendix F**.

2. The Council is the Licensing Authority under the Gambling Act 2005 and is responsible for granting premises licences and permissions in South Gloucestershire in respect of:
  - Casinos;
  - Bingo Premises;
  - Betting Premises;
  - Tracks;
  - Adult Gaming Centres (for category B3, B4, C and D machines);

- Family Entertainment Centres (for category C and D machines) (note that, separate to this category, this licensing authority may issue a family entertainment centre gaming machine permit, which authorises the use of category D machines only);
  - Club Gaming Permits;
  - Prize Gaming and Prize Gaming Permits;
  - Temporary Use Notices; and
  - Registration of small society lotteries
3. The Gambling Act 2005 required the Council by 3<sup>rd</sup> January 2022 to prepare and publish a “Statement of Principles” at least every three years that sets out the policies that the Council will generally apply having regard to the Licensing Objectives when making decisions on applications made under the Act. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must then be re-published.
  4. This sixth “Statement of Principles” has been prepared having regard to the provisions of the Guidance issued by the Gambling Commission and the licensing objectives of the Gambling Act 2005.
  5. The statement was consulted on between July 2021 and November 2021 with final comments accepted up until the 1<sup>st</sup> November 2021. The results of the consultation were considered by the Regulatory Committee on 18<sup>th</sup> November 2021.
  6. The Act requires that Licensing Authorities carry out consultation of the Statement of Principles and that all of the following parties are consulted:
    - The Chief Officer of Police; and
    - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the Authority’s area; and
    - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority’s functions under the Act.

This Licensing Authority has consulted with these parties.

7. In addition to the above, the following have also been consulted: a range of organisations including voluntary and community organisations working with children and young people, organisations working with people who are problem gamblers, Primary Care Trust and advocacy organisations such as the Citizen’s Advice Bureau. There has also been consultation with other local government related services and local businesses who are, or will be, holders of an authorisation under the Gambling Act 2005. Consultees are stated at **Appendix D**, this list is not mandatory, nor exhaustive.
8. The list of persons consulted was deliberately wide and was accessible on the South Gloucestershire Council website. This enabled this Licensing Authority to undertake a comprehensive consultation exercise with anyone who may be affected by or otherwise have an interest in the Statement of Principles.
9. The formal Statement of Principles were agreed by Full Council on 16<sup>th</sup> February 2022 and will be available on South Gloucestershire Council’s website, at the Licensing offices, Broad Lane, Yate, in South Gloucestershire libraries and One Stop Shops located at Kingswood, Yate and Patchway.
10. The sixth Statement of Principles came into effect on the 10<sup>th</sup> March 2022 and will be reviewed as necessary, and at least every three years from the date of adoption.

## 2. Licensing Objectives

11. The Gambling Act 2005 requires that the Council carries out its various licensing functions having regard to the following three licensing objectives: -

- 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 carried out in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

### **3. Declaration**

12. In producing its final Statement of Principles, this Licensing Authority declares that it has had regard to the licensing objectives of the Act, the Guidance and Codes of Practice issued by the Gambling Commission, and any responses from those consulted on the draft Statement of Principles.

### **4. General Principles**

13. Nothing in this Statement of Principles will: -

- Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; or
- Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

14. This Licensing Authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

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

15. It is appreciated that as per the Gambling Commission's guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for this Licensing Authority to consider.

16. This Licensing Authority in carrying out its functions will not duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.

17. Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. This Licensing Authority notes that it is able to exclude default conditions and also attach others, where it is believed to be appropriate.

18. The starting point in determining applications will be to grant the application without conditions. Conditions will only be considered where they are appropriate and proportionate to meet the requirements of the licensing objectives, and any conditions applied will be proportionate to the scale of the application and the risks involved. Conditions will generally be considered inappropriate if they are already adequately covered by either mandatory/default conditions or other legislation.

19. The Council, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups.

## 5. Responsible Authorities

20. In accordance with Part 8 (8.2) of the Gambling Commission's Guidance for local authorities, this Licensing Authority designates the South Gloucestershire Children's Partnership for the purpose of advising them on the protection of children from harm.
21. The details of the Responsible Authorities under the Gambling Act 2005 are shown at **Appendix A**. Whilst the Public Health Authority is not a statutory responsible authority under the Act, this Licensing Authority has due regard to the statutory guidance, "a policy of wide dissemination of applications allows responsible authorities to take action under their own legislation and enforcement powers, even if there is no direct role for them in the premises licensing process for gambling".

## 6. Interested Parties

22. Section 158 of the Act defines interested parties. To accept a representation from an interested party, this Licensing Authority must take the view that the person:

- 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
- Represents persons in either of these two groups

This Licensing Authority will apply the following principles in determining an interested party:

- Each case will be determined upon its merits. This Licensing Authority will not apply a rigid rule to its decision making. It will consider the principles provided in the Gambling Commission's guidance for local authorities at Part 5. It will also consider the Gambling Commission's guidance at Part 8 (8.9 to 8.17) in regard interested parties, including those with business interests.
  - The Gambling Commission has recommended that this Licensing Authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations (Gambling Commission guidance for local authorities Part 8 (8.16)). This Licensing Authority will not however generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e., lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
  - Interested parties can be persons who are democratically elected such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Likewise, Parish Councils likely to be affected, will be considered to be interested parties. Other than these however, this Licensing 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.
23. 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 Sub-Committee dealing with the licence application. If there are any doubts, then please contact this Licensing Authority whose details are given at the end of this document under the further information heading.



## 7. Exchange of Information

24. The principle that this Licensing Authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. This Licensing Authority will also have regard to any guidance issued by the Gambling Commission to licensing authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
25. Should any protocols be established as regards information exchange with other bodies then they will be made available.

## 8. Enforcement

26. This Licensing Authority's proposed principles are that it will be guided by the Gambling Commission's guidance to licensing authorities, and it will endeavour to be:
- **Proportionate:** regulators should only intervene when necessary and 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.
27. As per the Gambling Commission's guidance to licensing authorities, this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
28. This Licensing Authority, as recommended by the Gambling Commission's guidance for licensing authorities, has adopted a risk rating based inspection programme with a complete audit trail. This Licensing Authority also acknowledges the Gambling Commission's own Licensing, compliance, and enforcement policy statement, published March 2021. This Licensing Authority is committed to continued partnership working with local gambling businesses, in conjunction with the Gambling Commission.
29. This Licensing Authority will, in carrying out its enforcement function, have regard to; -
- The licensing objectives
  - Relevant Codes of Practice
  - Guidance issued by the Gambling Commission, in particular, at Part 36
  - The principles set out in this Statement of Principles
30. 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 which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by this Licensing Authority but will be notified to the Gambling Commission.
31. This Licensing Authority will also keep itself informed of developments as regards the work of Department for Business, Energy, and Industrial Strategy (BEIS) in its consideration of the regulatory functions of local authorities.
32. This Licensing Authority will seek to work actively with the Police in enforcing licensing legislation and intends to establish protocols with the Avon and Somerset Constabulary, the Avon Fire and Rescue Service, and other Council bodies such as Environmental Health,

Trading Standards and South Gloucestershire Children's Partnership on enforcement issues to ensure an efficient deployment of officers.

33. Bearing in mind the principle of transparency, this Licensing Authority's enforcement policy and joint protocol will be available upon request from the Licensing Service.

## 9. Licensing Authority functions

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 Information Exchange, paragraphs 24 and 25)
- Maintain registers of the permits and licences that are issued under these functions

34. It should be noted that licensing authorities are not involved in licensing remote gambling at all, this falls to the Gambling Commission via operating licences.

## 10. Legislation

35. In undertaking its licensing function under the Gambling Act 2005, the Council is also bound by other legislation, including: -

- Anti-Social Behaviour Act 2003
- Data Protection Act 2018
- Equality Act 2010
- Environmental Protection Act 1990
- Health Act 2006
- Health and Safety at Work Act 1974
- Human Rights Act 1998
- Licensing Act 2003
- Section 17 of the Crime and Disorder Act 1988

## **PART B PREMISES LICENCES**

### **1. General Principles**

36. In the Act, 'premises' is defined as including 'any place'. Section 152 therefore prevents more than one premises licence applying to any place. But, there is no reason in principle why a single building could not be subject to more than one premises licence, provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks, or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, this Licensing authority shall pay particular attention if there are issues about sub-division of a single building or plot and shall ensure that mandatory conditions relating to access between premises are observed.
37. This Licensing Authority shall determine Premises Licence applications in accordance with the Guidance issued by the Gambling Commission.
- By distinguishing between premises types the Act makes it clear that the gambling activity of the premises should be that described. The current *Licence Conditions and Codes of Practice* sets out in full the requirements on operators. Subject to the gaming machine entitlements which various types of licence bring with them (and except in the case of tracks), the Act does not permit premises to be licensed for more than one of the activities at paragraph 2.
  - Licensing authorities should take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:
    - The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating.
    - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not 'drift' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
    - Customers should be able to participate in the activity named on the premises licence.
  - In determining whether two or more proposed premises are truly separate, the licensing authority should be aware of factors which could assist them in making their decision. Depending on all the circumstances of the case, these may include:
    - Is a separate registration for business rates in place for the premises?
    - Is the premises' 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?
38. A licence to use premises for gambling should only be issued in relation to premises that this 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.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this Licensing 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.

Applicants should note that this Licensing 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.

### **1.1 Location**

39. This Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's guidance to licensing authorities; this Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be proposed as regards areas where gambling premises should not be located, this statement will be updated with evidence-based reasoning and be fully consulted upon. It should be noted that any such policy does not preclude any application being made and each application will be determined on its own merits.

### **1.2 Duplication with other regulatory regimes**

40. When dealing with a premises licence application for finished buildings, this Licensing Authority will not consider whether those buildings have to comply with the necessary planning or buildings consents. Fire or health & safety risks will not be considered, 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. 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.

This Licensing Authority has noted the principles set out in the [Regulators Code](#).

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

41. This Licensing Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and acknowledges that issues of nuisance cannot be addressed via the Gambling Act provisions. Disorder issues will be discussed with the licence holder and Police, and nuisance issues will initially be discussed with or referred to Environmental Health before discussing with the licence holder.

42. Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council's Licensing Officers and Avon and Somerset Constabulary before making a formal application.
43. In considering licence applications, this Licensing Authority will particularly consider the following:
- The design and layout of the premises;
  - The training given to staff in crime prevention measures appropriate to those premises;
  - Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
  - Where premises are subject to age restrictions, the procedures in place to conduct age verification checks; and
  - The likelihood of any violence, public order or policing problem if the licence is granted.

#### **1.4 Ensuring that gambling is conducted in a fair and open way**

44. This Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is, however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below

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

45. This Licensing Authority has noted the Gambling Commission's guidance to licensing authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). This Licensing Authority will therefore consider, as suggested in the Gambling Commission's guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.
46. This Licensing Authority has noted the South Gloucestershire Children's Partnership replacing the South Gloucestershire Safeguarding Children Board on 29<sup>th</sup> September 2019.

The Children's Partnership is the new statutory body in accordance with [Working Together 2018](#). The main changes are that there are now three organisations that have an equal and shared duty to make arrangements to work together with relevant agencies to safeguard and promote the welfare of all children in South Gloucestershire.

47. This Licensing Authority is also aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.
48. As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This Licensing Authority will consider this licensing objective on a case-by-case basis. Should a practical definition prove possible in future then this policy statement will be updated.

#### **1.6 Conditions**

49. Any conditions attached to licences will be appropriate and 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

50. Decisions upon individual conditions will be made on a case-by-case basis, this Licensing Authority will consider utilising conditions, such as the use of supervisors, appropriate signage for adult only areas etc. with evidence-based reasoning. 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.

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

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

- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; 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.

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

54. It is noted that there are conditions which this Licensing Authority cannot attach to premises licences which are:

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

## **1.7 Door Supervisors**

55. The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by

gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the door supervisors at casinos or bingo premises require to be licensed under the Private Security Industry Act 2001.

56. This Licensing Authority therefore has specific requirements for door supervisors working at casinos or bingo premises and these are that they are licensed under the Private Security Industry Act 2001. These requirements are consistent with the standards set by the Gambling Commission for door supervisors. This is in recognition of the nature of the work in terms of searching individuals, dealing with potentially aggressive persons, etc.
57. For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances/machines is appropriate for particular cases but if door supervision is required by this Licensing Authority, it will be a requirement that such persons are licensed under the Private Security Industry Act 2001. This Licensing Authority will make a door supervision requirement only if it is appropriate and proportionate to meet the licensing objectives. Particular emphasis will be paid in betting premises as to whether the premises can be adequately supervised from the counter.

### **1.8 Local Risk Assessments**

58. This Licensing Authority acknowledges the guidance at Part 6 (6.41 to 6.46), and the code of practice provisions at 10.1.1 and 10.1.2, Assessing local risk, under the revised licence conditions and codes of practice (LCCP) published by the Gambling Commission in April 2021 state:

*Applicants or licence holders should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licenced premises, or otherwise on request.*

This Licensing Authority acknowledges the aim of local area profiles and risk assessments is to build up a picture of the locality, and in particular the elements of it that could be impacted by gambling premises. Applicants submitting a new or variation application for a premises licence therefore must take these elements, as stated in the LGA Councillor handbook guidance in 2018, into account as part of their local risk assessments, having regard to:

- 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; and
- how vulnerable people, including people with gambling dependencies are protected.

This Licensing Authority shall expect the risk assessment to include:

- A self-exclusion policy
- Record of attempts to gamble by persons aged under 18 years of age
- Record of test purchasing results
- Record of anti-social behaviour (ASB) issues on the incident log
- Police reports and call outs
- Sharing information with nearby agencies and organisations e.g., treatment centres
- Protections in place when footfall highest
- Being part of a Betwatch scheme or equivalent/similar

### **2. Adult Gaming Centres**

59. 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.

60. This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate and proportionate measures/licence conditions may cover issues 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-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

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

### **3. Licensed Family Entertainment Centres**

61. 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.

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

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

63. This Licensing Authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Licensing Authority will also make itself aware of any mandatory or default conditions on these premises licences published by the Gambling Commission.

### **4. Casinos**

64. 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.



## **4.1 Casinos and competitive bidding**

65. This Licensing Authority is aware that where a licensing authority area is enabled to grant a premises licence for a new style casino (i.e., the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This Licensing Authority will run such a competition in line with any regulations/codes of practice issued under the Gambling Act 2005.

## **4.2 Licence considerations/conditions**

66. This Licensing Authority will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's guidance at Part 9, bearing in mind the mandatory conditions listed in Part 17 of the guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

## **4.3 Betting machines**

67. This Licensing Authority will, as per the Gambling Commission's guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 of age to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/ helpline numbers for organisations such as GamCare.

## **4.4 Credit**

68. This Licensing Authority has noted that the Gambling Commission has stated in its guidance for licensing authorities that "Section 177 does not prevent the licensee from permitting the installation of cash dispensers on the premises. Any automated telling machine (ATM) made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.

## **5. Bingo premises**

69. This Licensing Authority notes that the Gambling Commission's guidance states the following:

Part 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. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises."

Part 18 (7); "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."

This Licensing Authority also notes the guidance at Part 18 (18.8) and 18 (18.9) regarding the unusual circumstances in which the splitting of a pre-existing premise into two adjacent premises might be permitted, and in particular that it is not permissible to locate eight category B gaming machines, restricted to sub-category B3 and B4 machines, in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

## **6. Betting Premises**

### **6.1 Betting machines**

70. This Licensing Authority will, as per the Gambling Commission's guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. While the licensing authority has discretion as to the number, nature and circumstances of use of betting machines this Licensing Authority will consider limiting the number of machines only where there is evidence that such machines have been or are likely to be used in breach of the licensing objectives

As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/ helpline numbers for organisations such as GamCare.

### **6.2 Credit**

71. It has also been noted that the Gambling Commission Guidance states: "Section 177 does not prevent the licence holder from permitting the installation of cash dispensers on the premises. Any automated telling machine (ATM) made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so. It is also understood that the Gambling Commission will be placing restrictions and requirements on Operating Licences for betting premises as regards credit and this Licensing Authority will consider the guidance.

## **7. Tracks**

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

73. This Licensing 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.

74. This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate and proportionate measures/licence conditions may cover issues 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-barring 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.

75. This Licensing Authority notes the Commission's guidance at Part 20 (20.33 to 20.38) that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that. Children and young persons are not prohibited from playing category D gaming machines on a track.
76. This Licensing Authority will, as per the Gambling Commission's guidance, consider the size of the premises and the ability of staff to monitor the use of betting machines (also known as bet receipt terminals) by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.
77. The Gambling Commission has advised in its guidance to licensing authorities that "licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."
78. To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their Statement of Principles, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.
79. This Licensing Authority also notes that in the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

## **8. Travelling Fairs**

80. 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.
81. This Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
82. 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.

## **9. Provisional Statements**

83. 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.
84. Section 204 of the Gambling 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
85. The process of 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.
86. 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 the right to occupy the premises in respect of which their provisional application is made.
87. An application for a provisional statement must be accompanied by plans and the prescribed fee.
88. Once the premises are constructed, altered or acquired the holder of a provisional statement can put in an application for the necessary premises licence. A premises licence application for a premises where the applicant already holds a provisional statement for that premises attracts a lower application fee. This Licensing Authority will treat this application in accordance with Section 205 of the Act. This Licensing Authority notes that, in the absence of a requirement that an applicant for a provisional licence must have the right to occupy the premises, there may be more than one valid provisional statement in respect of the same premises.
89. Where a provisional statement is granted, this Licensing Authority is constrained in the matters it can consider when an application for a premises licence is made subsequently in relation to the same premises.
90. In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be considered unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, this 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 licence stage; or
  - which is in the authority's opinion reflect a change in the operator's circumstances; or
  - where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and licensing authorities should discuss any concerns they have with the applicant before making a decision.
91. This Licensing Authority has noted the Gambling Commission's guidance that "A licensing authority should not consider irrelevant matters. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

## **PART C**

### **PERMITS/TEMPORARY & OCCASIONAL USE NOTICE**

#### **1. Unlicensed Family Entertainment Centre (FEC) gaming machine permits (Statement of Principles on Permits)**

92. The guidance to the Act 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 Family Entertainment Centre, and if the Chief Officer of Police has been consulted on the application"

93. This Licensing Authority proposes to consider asking applications to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- A fully detailed premises plan for the positioning of gaming machine/s, to ensure access controls;
- 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.

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

94. With regard to renewals of these permits, a 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.

95. Gaming Machines - The Act does not allow gaming machine applications from premises where children have free access. In view of this, and having regard to the licensing objectives, this Licensing Authority will therefore not accept any new gaming machine applications or renewal applications from existing gaming machine permit holders in relation to such places. This will include the following:

*Accommodation Agencies, Art Galleries, Assembly Rooms, Bus Stations, Railway Stations, Cafes, Canteens, Cinemas, Theatres, Schools and Colleges, Youth Clubs, Swimming Pools, Off Licences, Loan Offices, Church Halls, Banks, Car Hire Premises, Employment Agencies, Garden Centres, Hospitals, Museums, Nurseries, Sales Rooms, Showrooms, Surgeries, Hotels, Registered Homes, Garages and Service Stations, Retail Shops and Warehouses, Video Hire/Sale Premises, Shopping Arcades/Centres, Dance Halls/Discotheques, Salons/Hairdressing Premises, Snooker/Billiards and Pool Halls, Taxi and Private Hire Offices and Ranks, Waiting Rooms and Reception Areas, Leisure/Health/Sports/ Community Centres, Restaurants, Take-away Food Premises.*

*This is not an exhaustive list and this Licensing Authority reserves the right to refuse applications where the licensing objectives are likely to be undermined.*

#### **2. Alcohol Licensed premises - gaming machine permits**

96. There is a 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 licence holder is required to notify this Licensing Authority by completing the requisite application form and pay the prescribed fee and also comply with any relevant Code of Practice issued by the Gambling Commission (Section 282). This 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 Gambling Act (i.e., that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises

97. If a premises wishes to have more than 2 machines, then it needs to apply for a permit and this Licensing Authority must consider that application having regard to the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” 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 harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machines. Measures which will satisfy this Licensing 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 aged 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.

98. 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 be dealt with as an Adult Gaming Centre premises licence.

99. It should be noted that this 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.

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

### **3. Prize Gaming and Prize Gaming Permits**

101. This Licensing Authority’s Statement of Principles are that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law; and
- clear policies that outline the steps to be taken to protect children from harm.

102. In making its decision on an application for this type of permit this Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

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

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

#### **4. Club Gaming and Club Machines Permits**

104. The Gambling Commission Guidance states: "Members clubs must have at least 2 members and be established and conducted "wholly or mainly" for purposes other than gaming unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."
105. The Gambling Commission guidance also states that "licensing authorities may only refuse an application on the grounds that:"
- The applicant does not fulfil the requirements for a members' or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
  - The applicant's premises are used wholly or mainly by children and/or young persons;
  - An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
  - A permit held by the applicant has been cancelled in the previous ten years; or
  - An objection has been lodged by the Commission or the Police.
106. There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's guidance to licensing authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:
- That the club is established primarily for gaming, other than gaming prescribed under schedule 12; or
  - That in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
  - That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled; or
  - There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

#### **5. Temporary Use Notices**

107. There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to this Licensing Authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building/site (see Gambling Commission's Guidance for Local Authorities). In considering whether a place falls within the definition of a "set of premises" the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.
108. 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 Gambling Commission's Guidance to licensing authorities.

#### **6. Occasional Use Notices**

109. This 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.

110. This Licensing Authority takes note of the Gambling Commission's guidance to licensing authorities which requires licensing authorities to submit returns showing how many occasional use notices were received during each quarter to the Gambling Commission.



## **PART D**

# **DECISION MAKING, COMPLAINTS & REVIEWS**

### **1. Decision Making**

#### **1.1 Committee Terms of Reference**

111. The Committee's terms of reference will be set out in the Council's Constitution. The terms of reference will be guided by Regulations issued under the Act

#### **1.2 Allocation of Decision Making Responsibilities**

112. These responsibilities will be set out in the Council's constitution. The table shown at **Appendix B** indicates how the delegation of functions is currently allocated.

### **2. Complaints against licensed premises**

113. The Council will investigate complaints against licensed premises in matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

114. Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Council may initially arrange a conciliation meeting to address and clarify the issues of concern.

115. This process will not override the right of any interested party to ask that the Licensing Sub-Committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

116. When dealing with a complaint about a licensed premises this Licensing Authority will have due regard to this Council's Enforcement Policy.

### **3. Reviews**

117. Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for this 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 Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority's Statement of Principles.

Requests for reviews will not be considered by this Licensing Authority where:

- The request is frivolous or vexatious;
- Where it will not cause the authority to consider altering, revoking or suspending the licence;
- Where it is substantially the same as previous representations or requests for review.

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

#### 4. Further information

119. Further information about the Gambling Act 2005, this Statement of Principles or the application process can be obtained from: -

Department for Environment and Community Services  
Licensing Service  
PO Box 1954  
Bristol  
BS37 0DD

Tel: 01454 868001  
E-mail: [licensing@southglos.gov.uk](mailto:licensing@southglos.gov.uk)  
Website: [www.southglos.gov.uk/business/licences-and-street-trading/](http://www.southglos.gov.uk/business/licences-and-street-trading/)

120. Information is also available from: -

##### **Gambling Commission**

4<sup>th</sup> Floor  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

Tel: 0121 230 6666  
E-mail: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)  
Website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

##### **Department for Digital, Culture, Media and Sport**

100 Parliament Street  
London  
SW1A 2BQ

Tel: 020 7211 6200  
E-mail: [enquires@culture.gov.uk](mailto:enquires@culture.gov.uk)  
Website: [www.gov.uk/government/organisations/department-for-digital-culture-media-sport](http://www.gov.uk/government/organisations/department-for-digital-culture-media-sport)

##### **Gamcare**

1st Floor  
91-94 Saffron Hill  
London  
EC1N 8QP

Tel: 020 7801 7000  
E-mail: [info@gamcare.org.uk](mailto:info@gamcare.org.uk)  
Website: [www.gamcare.org.uk/](http://www.gamcare.org.uk/)

# APPENDIX A

## RESPONSIBLE AUTHORITIES DETAILS

RESPONSIBLE AUTHORITY	ADDRESS & E-MAIL	TELEPHONE NUMBER
South Gloucestershire Council in the capacity of the Licensing Authority	Department for Environment and Community Services, Licensing Service PO Box 1954 Bristol, BS37 0DD  licensing@southglos.gov.uk	01454 868001
Avon and Somerset Constabulary	Liquor Licensing PO Box 3119 Bristol, BS1 2AA  liquorlicensing@avonandsomerset.police.uk	0117 945 5195
Avon Fire and Rescue	Technical Fire Safety Office Yate Fire Station Station Road Yate, South Gloucestershire BS37 4AL	0117 926 2061 Ext. 276
South Gloucestershire Council (Noise Team)	Department for Environment and Community Services, Environmental Protection Team PO Box 1954 Bristol, BS37 0DD  environmental.protection@southglos.gov.uk	01454 868001
South Gloucestershire Children's Partnership	The Children's Partnership Business Manager Department for Children, Adults and Health, PO Box 1955 Bristol, BS37 0DE	01454 863136
South Gloucestershire Council (Planning Department)	Department for Environment and Community Services, Planning, Transportation and Strategic Environment, PO Box 1954 Bristol, BS37 0DD  planningsupport@southglos.gov.uk	01454 868004
Gambling Commission	4 <sup>th</sup> Floor Victoria Square House Victoria Square Birmingham, B2 4BP  info@gamblingcommission.gov.uk	0121 230 6666
HM Revenue and Customs	3 Glass Wharf Bristol, BS2 0PS	0845 010 9000
South Gloucestershire Public Health Authority (Non-statutory)	Director of Public Health Department for Children, Adults and Health, Health & Wellbeing Division PO Box 1955 Bristol, BS37 0DE	01454 864200

# APPENDIX B

## TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	REGULATORY COMMITTEE OR SUB COMMITTEE	OFFICERS
Three-year licensing policy	✓		
Policy not to permit casinos	✓		
Fee Setting - when appropriate		✓	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		✓	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		✓	
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give a counter notice to a temporary use notice		✓	

# APPENDIX C

## GLOSSARY OF TERMS

Within this Statement of Principles, the following words and terms are defined as stated:

Act:	The Gambling Act 2005																																							
Betting Machine:	This is a machine which has been designed or adapted for use to bet on future real events, such as horse racing and used as a substitute for placing a bet over the counter.																																							
BEIS:	Department for Business, Energy and Industrial Strategy																																							
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005																																							
Council:	South Gloucestershire Council																																							
Council area:	The area of South Gloucestershire administered by South Gloucestershire Council (Map appended at Appendix D)																																							
DCMS:	Department for Digital, Culture, Media and Sport																																							
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by South Gloucestershire Council																																							
Gaming Machine:	<p><b><i>Maximum stakes and maximum prizes will apply as stated in relevant Statutory Instruments for the following categories:</i></b></p> <table border="0"> <thead> <tr> <th><u>Category</u></th> <th><u>Maximum Stake</u></th> <th><u>Maximum Prize</u></th> </tr> </thead> <tbody> <tr><td>A</td><td></td><td></td></tr> <tr><td>B1</td><td></td><td></td></tr> <tr><td>B2</td><td></td><td></td></tr> <tr><td>B3</td><td></td><td></td></tr> <tr><td>B3A</td><td></td><td></td></tr> <tr><td>B4</td><td></td><td></td></tr> <tr><td>C</td><td></td><td></td></tr> <tr><td>D money prize</td><td></td><td></td></tr> <tr><td>D non-money prize (other than crane grab machine</td><td></td><td></td></tr> <tr><td>D non-money prize (crane grab machine</td><td></td><td></td></tr> <tr><td>D combined money and non-money prize (other than coin pusher or penny falls machines</td><td></td><td></td></tr> <tr><td>D combined money and non-money prize (coin pusher or penny falls machines</td><td></td><td></td></tr> </tbody> </table>	<u>Category</u>	<u>Maximum Stake</u>	<u>Maximum Prize</u>	A			B1			B2			B3			B3A			B4			C			D money prize			D non-money prize (other than crane grab machine			D non-money prize (crane grab machine			D combined money and non-money prize (other than coin pusher or penny falls machines			D combined money and non-money prize (coin pusher or penny falls machines		
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Guidance:	Guidance issued to Licensing Authorities by the Gambling																																							

	Commission (April 2021 (updated May 2021)) as required by section 25 of the Gambling Act 2005.
LGA:	Local Government Association
Licensing Authority:	South Gloucestershire Council
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Notifications:	Means notification of temporary and occasional use notices
Premises:	Any place, including a vehicle, vessel or moveable structure
Regulations:	Regulations made under the Gambling Act 2005

# APPENDIX D

## CONSULTEES

The Authority intends to consult the following on the content of this Statement of Principles:

- Holders of existing licences, permits, registrations and notice acknowledgements who will be affected by the provisions of the Act
- National Casino Industry Forum (NCIF)
- British Amusement Catering Association (BACTA)
- The Bingo Association
- Association of British Bookmakers Ltd (ABB)
- Business in Sport and Leisure (BISL)
- The British Association of Leisure Parks, Piers & Attractions Ltd (BALPA)
- Lotteries Council
- Chief Officer of Police
- Responsible Authorities
- Primary Care Trust
- Jack Lopresti MP
- Luke Hall MP
- Chris Skidmore MP
- Elected Members of South Gloucestershire Council
- South Gloucestershire Town and Parish Councils
- Citizens Advice Bureau
- GamCare
- Gamblers Anonymous
- BeGambleAware
- Licensed Victuallers Association
- Responsibility in Gambling Trust

# **APPENDIX E**

## **FEES & CHARGES**

The Council will set fees for licences, permits and notices at a level that will recover the costs incurred by the Council for administration, issue and enforcement of that type of licence, permit or notice.

The Council will not intend to make a surplus or deficit from providing these services.

### **Review of Fees**

The fees will be reviewed annually between January and March for implementation on 1<sup>st</sup> April following the review.

The Council reserves the right to review the fees at any time.

The list of current fees and charges is set out on the Council website, [Licensing service fees and charges | South Gloucestershire Council \(southglos.gov.uk\)](https://www.southglos.gov.uk), and this list will be updated following a review of fees and charges.

The annual review will be submitted to the Regulatory Committee for consideration.



Appendix F

Map of South Gloucestershire

