



Statutory Licensing Committee

Agenda and Reports

For consideration on

**Wednesday, 22nd November
2006**

In the Council Chamber, Town Hall, Chorley



www.chorley.gov.uk

Chief Executive's Office

Please ask for: Gordon Banks
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Date: 13 November 2006

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

Statutory Licensing Committee - Wednesday, 22nd November 2006

You are invited to attend a meeting of the Statutory Licensing Committee to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 22nd November 2006 commencing on the rise of the Licensing and Safety Committee

AGENDA

1. **Apologies for absence**
2. **Declarations of Any Interests**

Members of the Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

3. **Minutes (Pages 1 - 2)**

To confirm as a correct record the minutes of the meeting of the Statutory Licensing Committee held on 11 October 2006 (enclosed)

4. **Licensing Act 2003 - Licences Issued From 23 September 2006 to 1 November 2006 (Pages 3 - 6)**

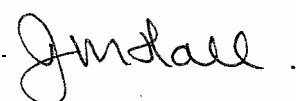
Report of Director of Customer, Democratic and Legal Services (enclosed)

5. **The Gambling Act 2005 - Approval of Licensing Policy (Pages 7 - 82)**

Report of Director of Customer, Democratic and Legal Services (enclosed)

6. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Chief Executive

Distribution

1. Agenda and reports to all Members of the Statutory Licensing Committee (Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair), Councillors Thomas Bedford, Henry Caunce, Magda Cullens, David Dickinson, Doreen Dickinson, Anthony Gee, Daniel Gee, Keith Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape, John Walker and Mrs Stella Walsh) for attendance.
2. Agenda and reports to Andrew Docherty (Director of Customer, Democratic and Legal Services), Rosaleen Brown (Legal Services), Howard Bee (Licensing Manager) and Gordon Bankes (Democratic Services Officer) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

کیجئے:

Statutory Licensing Committee**Wednesday, 11 October 2006**

Present: Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair), Councillors Henry Counce, Magda Cullens, Doreen Dickinson, David Dickinson, Anthony Gee, Daniel Gee, Keith Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, John Walker and Mrs Stella Walsh

06.SL.21 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Ralph Snape.

06.SL.22 DECLARATIONS OF ANY INTERESTS

No declarations of interest were received.

06.SL.23 LICENSING ACT 2003 - LICENCES ISSUED FROM 1 SEPTEMBER 2006 TO 22 SEPTEMBER 2006

The Committee received a report of the Director of Customer, Democratic and Legal Services on the various licences issued and registrations effected by the Licensing Section for the period 1 September 2006 to 22 September 2006.

The Members noted that a multi-agency operation had taken place on 15 September 2006 involving staff from the Council's Licensing Section and three Police officers. Several premises were visited with routine checks made to see if licensed premises were displaying the licence summary as required by the Licensing Act 2003.

RESOLVED – That the report be noted.

Chair

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Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	Statutory Licensing Committee	22/11/06

LICENSING ACT 2003 - LICENCES ISSUED FROM 23 SEPTEMBER 2006 TO 1 NOVEMBER 2006

1. PURPOSE OF REPORT

To inform the Committee of the various licences issued and the registrations effected for the above period.

2. CORPORATE PRIORITIES

There are no specific implications for corporate policies arising from this report.

3. RISK ISSUES

The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	✓
Reputation		Regulatory/Legal	
Financial		Operational	
People		Other	

This report is for information only.

4. The table below shows the number of licences/registrations issued during this period.

Number of	New	Variations	Change of Address	Transfer of Premises Licence	Change of DPS
Personal Licences	21	0	3	0	0
Premises Licences with alcohol	2	7	1	11	7
Premises Licences without alcohol	0	0	0	0	0
Club with alcohol	0	0	0	0	0
Club without alcohol	0	0	0	0	0
Temporary Event Notice with alcohol	14	0	0	0	0
Temporary Event Notice without alcohol	0	0	0	0	0
Interim Authority Notice	0	0	0	0	0

Continued....



5. GAMING MACHINE SECTION 34 (5E) PERMIT

There have been nine new Gaming Machine Permits and no renewal Gaming Machine Permits issued during this period.

Enforcement visits for period from 23 September 2006 to 01 November 2006

6. Visits were made to the following premises:

During the above period 40 visits have been made to premises in connection with licensing matters. The majority of visits have been routine and advice was given in respect of the following premises that were not displaying their premises licence summary:- Iceland, Chorley, Nooze and Booze, Harpers Lane, Chorley, Asda, Clayton le Woods, Pines, Clayton le Woods

Joint Operations

7. One operation was with the Police when advice was given to the Pines as detailed above and the second relates to a visit regarding Taxi Licensing. Details of which are on the Licensing and Registration report.

8. The operation with the Police took place on 13 October 2006 when eight licensed premises were visited. Only two had failed to display their premises licence summary (Asda and The Pines). A subsequent check of these two premises reveal that the summaries are now displayed.

Report compiled 3 November 2006
 Keith Ogden
 Licensing Enforcement Officer

COMMENTS OF DIRECTOR OF FINANCE

9. Not applicable.

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES.

10. Not applicable.

RECOMMENDATION(S)

11. Members are asked to note the report

ANDREW DOCHERTY LLP SOLICITOR
 DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Various applications	Various dates	Various files	Licensing Section Legal Services Chorley

Report Author	Ext	Date	Doc ID
Jayne Day	5161	3 November 2006	LEGREP/93617LK

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Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	Statutory Licensing Committee	22/11/06

GAMBLING ACT 2005 – APPROVAL OF STATEMENT OF GAMBLING POLICY

PURPOSE OF REPORT`

1. Members to consider the draft statement of gambling policy and consultation responses, prior to the draft version of the policy being presented before Full Council for approval.

CORPORATE PRIORITIES

2. There are no corporate priorities directly affected by this report.

RISK ISSUES

3. The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	4
Financial	4	Operational	4
People		Other	

4. As with any policy there is a risk that the policy may be subject to a challenge by way of Judicial Review. If any such challenge were made then this could delay the processing of applications and would have cost implications if a challenge were successful.

BACKGROUND

5. A previous report setting out arrangements for the Gambling Act 2005 was approved by Full Council on 16 May 2006.
6. This report provides further and updated information, following the release of regulations and commencement orders by the Government.
7. The Gambling Act 2005 received royal assent on 7 April 2005. Various sections of the Act and subordinate regulations will be implemented by a series of commencement orders between now and the first appointed day 30 April 2007. The act is a complex statute and the following paragraphs provide a simplistic overview of the implications.

8. The Act introduces 3 Gambling 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.
9. The Gambling Act 2005 provides for three categories of licence:
- Operating Licence
Individuals and companies who intend to provide facilities for certain types of gambling must obtain an operating licence from the Gambling Commission. In general these licenses cover the principal commercial forms of gambling for example a casino operating licence, a bingo operating licence or a gaming machine operating licence.
 - Personal Licences
One of the mandatory conditions that the Commission must place on operating Licences, except in the case of a small-scale operator, is to ensure that for each Operating licence at least one person holds a specified management office and that person must hold a personal licence from the Commission.
 - Premises Licences
Will be issued by local authorities and may authorise the provision of facilities on casino premises, bingo premises, betting premises, adult gaming centres and family entertainment centres. Premises Licences may only be issued to people with a relevant gambling operating licence as detailed above. Premises licences are transferable to someone else holding a valid operating licence.

GAMBLING COMMISSION

10. The act establishes the Gambling Commission who will:
- Issue operating licences to authorise the licensee to provide facilities for gambling.
 - Issue personal licences to certain individuals involved in gambling.
 - Specify general licence conditions.
 - Issue industry Codes of Practice.
 - Investigate illegal gambling and offences under the act.
 - Issue guidance to Local Authorities.

11. Chorley Borough Council becomes a Licensing Authority and an applicant who has obtained an 'operating licence' from the Gambling Commission may then apply to the local Licensing Authority for a 'Premises Licence' to provide gambling facilities within that Council's area. Chorley Borough Council will become responsible for licensing:
- Casino Premises.
 - Commercial Bingo Premises.
 - Adult Gaming Centre Premises.
 - Family Entertainment Centre Premises.
 - Betting Premises.
 - Betting Track Premises.
 - Temporary Use Notices.
 - Gaming machines in all the above types of premises.
 - Gaming machines in Members Clubs.
 - Lotteries other than the national lottery and lotteries registered with the Gambling Commission.
 - Prize Gaming Permits.

STATEMENT OF GAMBLING POLICY

12. Section 349 of the Act requires the council to prepare and publish a statement of Licensing Policy under the Act.

TIMETABLE FOR IMPLEMENTATION

13. All licensing authorities must publish their approved statement of Gambling Policy on or before the 3 January 2006.
14. Much of the formal guidance and secondary legislation has yet to be published before September 2007.

The current implementation timetable is as follows:

- 19 December 2006 – Full Council to approve Policy Statement.
- 21 December – 2 January 2007 Publish Policy Statement.
- 30 April 2007 – First appointed day. Transition commences and Licensing Authority starts receiving applications for gambling licenses.
- 1 September 2007 – Second appointed day. Full implementation of Gambling Act 2005.

CURRENT POSITION AND CONSULTATION

15. In its formal guidance to licensing authorities, issued under section 25 of the act the Gambling Commission recommends that consultation on draft statements of licensing policy last for a minimum of 12 weeks.
16. The 12-week consultation period for Chorley was 24th July to 13th October 2006.
17. Section 349 (3) of the act requires the Licensing Authority to consult the following parties
 - 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.
18. The Licensing Authority as the government recommends did consult with a wide list of persons who are likely to be affected by the exercise of the authorities functions under the act.
19. The full list of consultees is given as an appendix in the policy.
20. This Council has received a total of seven comments to the policy. A table of these comments and the responses are attached to the report.

CASINOS

21. Under section 166 (5) of the Act any resolution not to issue casino licenses must be published in the Statement. In addition, the statement should include details about how the authority has taken or will take a decision to pass a casino resolution.
22. No such proposal is included in the statement.

DELEGATION

23. A further report will be brought before members to agree how functions should be delegated under the act (ie whether decisions are to be taken by a licensing officer, sub committee of full committee etc).

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES

24. There are no HR implications associated with this report.

COMMENTS OF THE DIRECTOR OF FINANCE

25. This report is specifically concerned with the creation of a draft policy, and at this stage there are no associated financial implications. However once the policy is finalised and the implications of the Act crystallise it will be necessary to work through any financial implications and these will be considered during the budget setting for 2007/08.

RECOMMENDATION(S)

26. In accordance with section 39 of the Act, consider the responses to the consultation and any amendments to the draft prior to final version being placed before Full Council for their approval.

ANDREW DOCHERTY
 DIRECTOR OF CUSTOMER, DEMORATIC AND LEGAL SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Gambling Act 2005 - Draft Statement of Gambling Policy	22 November 2006		
Gambling Act 2005 - Draft Statement of Gambling Policy consultation and responses	22 November 2006		

Report Author	Ext	Date	Doc ID
Howard Bee	5665	10 November 2006	LEGREP/93657LK

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Chorley Council

Gambling Act 2005 – Statement of Licensing Policy

Consultation representation analysis: consultation period 23/07/2006 - 13/10/2006

Respondent	Comments	Appraisal	Council response
<p>Trethowans Solicitors on behalf of Association of British Bookmakers</p>	<p>The ABB requests that the policy states: - "...there is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The authority will make a door supervisor requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate."</p>	<p>Noted Point clarified</p>	<p>11.27 added to take account of door supervision requirements for all premises.</p>
	<p>The ABB requests that the policy states: - "While the authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter.</p>	<p>Noted</p>	<p>16.8 amended to include breach of licensing objectives</p>
	<p>The ABB requests that the policy states: - "Likewise, if an application is, in effect, an application for the transfer of a licence from one premises to another close by, with some increase in the size of the customer area, then an authority might well conclude that the grant would not be inexpedient..."</p>	<p>Applications dealt with on a case by case basis</p>	<p>None</p>
	<p>The ABB requests that the policy states: - "The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise."</p>	<p>Applications dealt with on a case by case basis. No overall statement to this effect should be made.</p>	<p>None</p>

	<p>Paragraph 7.1 and 7.4 appear to be references to Licensing Act 2003.</p> <p>“In relation to paragraph 11.15 page11 we would be grateful if it could be noted that many betting offices are located near schools or in residential areas but under 18’s are not permitted on the premises. Equally in relation to vulnerable persons most bookmakers operate extremely effective self-exclusion policies. We would therefore suggest that location should not be a factor when considering a betting office application.”</p> <p>Request they are informed of all further consultations and are sent a hard and an electronic copy of the final policy.</p>	<p>Noted. They are not references to the Licensing Act 2003.</p> <p>Noted. Paragraph 11.5 refers to all gambling premises. Each application dealt with on a case by case basis.</p> <p>Noted If appropriate this will occur</p>	<p>None</p> <p>None</p> <p>None</p>
<p>Brindle Parish Council</p> <p><u>AND</u></p> <p>Hoghton Parish Council</p>	<p>The Parish Council considers that Parish Councils should be consulted on the licensing of premises in their area.</p>	<p>Noted Parish Councils will be consulted on the ‘Gambling Act Policy’ But not on individual licensing of premises in their area.</p>	<p>None</p> <p>All applications are publicly displayed. All applications and licences will be available on public registers</p>
<p>Chorley Council Development & Regeneration Directorate</p>	<p>No comment.</p>	<p>N/A</p>	<p>N/A</p>
<p>GamCare</p>	<p>GamCare request that the following areas are included in the policy or as part of the licensing conditions.</p> <ol style="list-style-type: none"> 1) The sale and distribution of controlled drugs and the laundering of the proceeds of drugs to support gambling. 2) Prostitution to feed gambling needs. 3) Any unlawful gaming, gambling and betting. 	<p>1-3 The regulation of gambling by responsible authorities will have regard to the crime and disorder objective.</p>	<p>1-3 No change</p>

	<p>4) All leaflets giving assistance to problem gambling clearly displayed in prominent areas such as toilets for example where they will be more discreet. This will give a certain amount of anonymity.</p> <p>5) Self-exclusion forms available.</p> <p>6) Operator must have regard to best practice issued by organisations that represent the interests of vulnerable people.</p> <p>7) On machines such as F.O.B.T, S odds being clearly displayed.</p> <p>8) All A.T.M or cash terminals to be separate from gaming machines so that clients will have to leave there for more funds if so required. They should also display stickers with GamCare helpline information positioned prominently on machines.</p>	<p>See policy – 12.5,13.4,17.16 and 22.4</p> <p>It is anticipated that operating licences will be subject to codes of practice conditions</p> <p>This is for each individual operator</p> <p>This is a Gambling commission matter not licensing authority</p> <p>It is anticipated that ATM,s will be subject to a mandatory condition. ATM,s to be positioned so that customers must cease gambling at gaming tables/machines in order to use them.</p> <p>It is anticipated that operating licenses will be subject to Codes of practice provisions including social</p>	<p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy</p> <p>No change to policy. Further guidance from gambling commission</p>
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	<p>9) Social responsibility must be adhered to at all times and mentioned at all times when reasonable.</p> <p>10) It has been mentioned in the principles however it is so important clear visible signs of age restriction are clearly displayed in gaming and betting establishments, also entrances to gambling and betting areas are well supervised and identification verified.</p> <p>11) Posters displayed suggesting “Stay in Control” of your gambling with details of GamCare telephone number and website.</p> <p>12) Please ensure that fruit machines are not situated in Mini-cab offices or takeaways or other unlicensed premises where children may have access to them.</p>	<p>responsibility and the positioning of ATM’s</p> <p>One or more of the codes of practice issued by the Gambling Commission will cover social responsibility.</p> <p>See 12.3.12.5, 13.417.3 and 17.15 of the policy</p> <p>See above</p> <p>Not applicable. Chorley has a policy of not issuing licences permits for such premises. It is currently and will continue to be enforced.</p>	<p>No change to policy</p> <p>No change to policy</p> <p>No Change to Policy</p> <p>No Change to Policy</p>
<p>British Beer & Pub Association</p>	<p>“Paragraph 22.1 rightly explains that there is an automatic entitlement for 2 machines with the licensee simply required to notify the local authority.” Paragraph 22.2 is confusing as it refers to applications and should not be included in the final policy.</p>	<p>Agree remove</p>	<p>Paragraph 22.2 removed</p>

	<p>Under the new regime, when operators apply for additional machine permits and they are complying with the Gambling Commission Code of Practice, there is no reason why these should not be granted. It would be helpful if the Statement of Principles could reflect this.</p> <p>The Association would welcome the inclusion in the policy of an outline of the application procedures for permits for more than two machines. The Association would support an approach that grants up to four machines without the need for a hearing. The Association hopes the Council adopts the LACORS application form for permits once it is produced.</p> <p>It would be helpful if some reference to transitional arrangements could be included either in the policy or in the form of separate guidance.</p>	<p>Noted Each application dealt with on a case by case basis</p> <p>Noted Application procedures will be included in guidance notes. Following research the authority will make use of application forms.</p> <p>Noted Will be dealt with in future authority guidance papers.</p>	<p>None</p> <p>None</p>
<p>British Amusement Catering Trades Association</p>	<p>For reference only</p>	<p>Noted</p>	<p>Noted</p>
<p>Gambling Commission</p>	<p>Paragraph 11.26 currently reads "... such a person would normally need to hold a licence from the Gambling Industry Authority..." This sentence should read "...a licence from the Security Industry Authority..."</p>	<p>Noted</p>	<p>Changed</p>

TRETHOWANS

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 Our Ref: NJW01/127660/ABB
 Your Ref:

25 July 2006

26 JUL 2006

Dear Sirs

Draft Gambling Policy

On behalf of the Association of British Bookmakers we are pleased to have an opportunity to respond to your draft Gambling Act licensing policy.

The Association of British Bookmakers

Off-course bookmakers were first recognised in legislation by the Betting and Gaming Act of 1960. The industry now consists of approximately 8,500 betting offices in Great Britain, which makes them by far the most numerous type of dedicated gambling facility; the average authority having about 20 betting offices within its area. The Association of British Bookmakers is the representative association for businesses holding nearly 7,000 betting office licences, and will be responding to consultations on all the licensing policies in Great Britain.

Before the advent of the Gambling Act 2005, there was no national regulator for bookmakers. However, the industry has been extremely successful at policing itself. Bookmakers have given rise to no or few regulatory concerns. For example, there are few if any prosecutions of bookmakers or revocations of betting office licences, no suggestion of underage betting in betting offices and no suggestion that betting offices cause nuisance to surrounding users. Crime and disorder is extremely rare in betting offices, and there is no evidence that bookmakers have operated their business in such a way as to exploit the vulnerable. Of course, alcohol is not sold in betting offices. Betting offices have been good neighbours to both residential and commercial occupiers. A primary objective of the ABB has been to help create betting environments in which the public enjoys fair and responsible gambling. It has to a large extent been assisted by the demographics of the industry, in which there are some very large participants, e.g. Ladbrokes, William Hill, Coral, the Tote and Dones (Betfred). These operators set a high standard, in terms of offices and customer service, which new entrants have naturally striven to match.

The ABB welcomes the new legislation, and the opportunity to work with licensing authorities, so as to consolidate and continue the enormous advances made by the industry, in a way which benefits customers while avoiding regulatory concerns. The ABB hopes and expects that a light touch approach will be taken to the imposition of conditions and regulatory burdens on the industry, save in so far as this is necessary and proportionate in individual cases.



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We would take the opportunity to comment on some specific aspects of your policy. You will see that in certain areas we have been sufficiently bold as to suggest wording for the policy. The reason for this is that the ABB's members are keen, so far as possible, to achieve consistency between licensing policies, for the benefit of all involved in the system.

Door supervision

Because of the success of the betting industry in managing its offices, and because of the general nature of betting clientele, door supervisors are not employed in betting offices. Premises are supervised from the counter. Door supervision has not been operationally required, and neither the licensing justices nor the police have suggested that door supervision is necessary.

We would refer to the Gambling Commission's Guidance at paragraph 9.26. This requires that conditions should only be imposed when they:

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

We would specifically ask that the policy reflect this by stating:

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

Betting machines

Reference to betting machines is made in section 181 of the Gambling Act 2005. These are machines on the shop floor of the betting office through which a customer can place a bet without having to visit the counter. They should not be confused with fixed odds betting terminals (which will be Category B2 gaming machines under the legislation) or amusement with prize machines ('fruit machines').¹ While up to four FOBTs / AWP's will be found in the great majority of betting offices in the country, the number of betting machines is vanishingly small. And there is no evidence at all that, where they do exist, they are causing any harm. They are machines on which one may place a bet in an adult only environment, not machines upon which rapid gambling may occur. For these reasons, while the section 181 discretion is acknowledged, it is respectfully suggested that the policy state that:

" While the authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter."

Re-site applications

Over the last two decades in particular, betting offices have been subject to an evolutionary process of enlargement and improvement to accommodate the more extensive facilities and technology now demanded by their customers, for example more and larger screens, full toilet

¹ While FOBTs/AWP's clearly accept bets for the purpose of playing directly on these machines, for instance inserting a £20 note into a FOBT to play roulette, the customer cannot use these machines to bet on other events available in the betting shop e.g. horse/dog races and football matches.

facilities for male, female and disabled customers, level entrances, comfortable seating, no smoking areas, machines, information terminals and so on. Frequently, this has involved resiting within the same locality. Under the former regime, such re-sites were positively welcomed by licensing authorities concerned to improve the general level of facilities in their area, and were rarely objected to by competitors. This was recognised in the leading case of *R (Hestview) v Snaresbrook Crown Court* in which Hooper J. stated (para 65):

Likewise, if an application is, in effect, an application for the transfer of a licence from one premises to another close by, with some increase in the size of the customer area, then an authority might well conclude that the grant would not be inexpedient..."

It is hoped that licensing authorities will wish to endorse and support this natural progress and improvement in the industry. It is requested that the policy positively encourage, or at least state that the authority will give sympathetic consideration to, re-sites within the same locality and extensions in order to enhance the quality of the facility provided for the benefit of the betting public.

Enforcement

It is requested that the policy includes wording along the following lines:

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

Other Comments

At paragraph 7.1 and 7.4 there appear to be references to relating back to Licensing Policy rather than the Gambling Act 2005. Specific references are made to "cultural benefits" and "entertainment" respectively.

In relation to paragraph 11.15 on page 11 we would be grateful if it could be noted that many betting offices are located near schools or in residential areas but under 18's are not permitted on the premises. Equally in relation to vulnerable persons most bookmakers operate extremely effective self exclusion policies. We would therefore suggest that location should not be a factor when considering a betting office application.

Consultation of ABB

Finally, we would respectfully ask that your authority notify the ABB of any further consultations to be conducted by you, and that you favour the ABB with a hard and electronic copy of your final policy. This will enable the ABB to establish a bank of policies for the benefit of its members, alert its members to any developments and enable greater liaison and consistency to occur. The relevant contact details are:

Angela Ruggeri
ABB
Regency House
1-4 Warwick Street
London W1B 5LT

angelaruggeri@abb.uk.com

Please do not hesitate to contact us should you wish to discuss any of the contents of this letter.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized, cursive letter 'J' or 'I' with a vertical stroke extending downwards.

Howard Bee

From: Richard Silver [R.Silver@gamblingcommission.gov.uk]
Sent: 13 October 2006 16:17
To: Licensing
Subject: Statement of Gambling Policy - Consultation

The Gambling Commission has reviewed your authority's draft statement of principles for the Gambling Act 2005, as part of the consultation process. The only amendment we would like to propose is to amend paragraph 11.26, which currently reads "...such a person would normally need to hold a licence from the Gambling Industry Authority...". This sentence should read "...a licence from the Security Industry Authority...".

There are no further comments at this time.

Many thanks,

Richard Silver
Policy Development Officer
Tel: 0121 230 6543
Gambling Commission

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Howard Bee

From: Richard Silver [R.Silver@gamblingcommission.gov.uk]
Sent: 24 July 2006 11:52
To: Howard Bee
Subject: Gambling Act 2005 Draft Statement of Principles - Consultation

Dear Howard,

This email is just to confirm that the Gambling Commission has received your Licensing Authority's draft Statement of Principles. We will be reviewing the Statement and will feedback with any comments in due course.

Best regards,

Richard Silver
Policy Development Officer

Gambling Commission

Victoria Square House
Victoria Square
Birmingham B2 4BP
Tel: 0121 230 1103
Fax: 0121 233 1096

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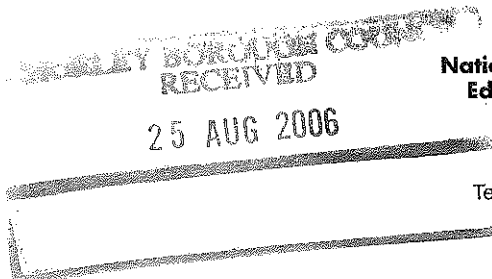
**GAMCARE**

**National Association for Gambling Care
Educational Resources and Training**

2/3 Baden Place
Crosby Row, London SE1 1YW
Tel: 020 7378 5200 Fax: 020 7378 5233
e-mail: info@gamcare.org.uk
www.gamcare.org.uk

Helpline: 0845 6000 133

23rd August 2006



Dear Sir or Madam

Thank you for your Draft on the Gambling Principles from your Authority. As you will understand we received one from all the authorities in the process of putting together their Principles and future Policy.

I found various differences in all, however not too many discrepancies for concern. I have however put together a separate list of inclusions, which from GamCare's viewpoint we would like included either in the policy or as part of the Licensing conditions.

I have had to read quite a few drafts, as already explained so please forgive me if I repeat anything already included.

All local authorities must now recognise that they should have a "Duty of Care" and become "Corporate Parents" assisting the residents of their authority with gambling addictions. Gambling is a much hidden form of addiction with little recognition.

Many authorities have now set up programs for Drug and Alcohol addictions, GamCare feel there is a great benefit of a program of problem gambling and possibly Debt Management counselling, to run in conjunction.

GamCare, I must emphasise, is a Gambling Neutral charity; we also recognise gaming is a very entertaining form of relaxation.

I would be grateful or the opportunity visit to your authority, and meet with all interested parties explaining in more detail how we may be of assistance to you, and the way we look for support and raise awareness about problem gambling.

Yours sincerely

Alan Faulkner
GamCare Partners Manager

- 1 The sale and distribution of Controlled drugs and the laundering of the proceeds of drugs to support gambling.
- 2 Prostitution to feed gambling needs
- 3 Any unlawful gaming, gambling, and betting
- 4 All leaflets giving assistance to problem gambling clearly displayed in prominent areas such as toilets for example where they will be more discreet. This will give certain anonymity.
- 5 Self exclusion forms available.
- 6 Operator must have a regard to best practice issued by organisations that represent the interests of vulnerable people.
- 7 On machines such as F.O.B.T,S odds being clearly displayed.
- 8 All A.T.M or cash terminals to be separate from gaming machines so that clients will have to leave the for more funds if so required. They should also display stickers with GamCare Helpline information positioned prominently on machine.
- 9 Social responsibility must be adhered to at all times and mentioned at all times when reasonable.
- 10 It has been mentioned in the Principles however it is so important clear visible signs of age restriction are clearly displayed in gaming and betting establishments, also entrances to gambling and betting areas are well supervised and identification verified.
- 11 Posters displayed suggesting " Stay in Control" of your gambling with details of GamCare telephone number and website.
- 12 Compulsory non-gambling areas or "Chill out Rooms" in all Casinos [this is only relevant if you are having a casino in your authority.
- 13 Please ensure that fruit machines are not situated in Mini-Cab offices or Takeaways or other unlicensed premises were children may have access to them.

Thank you for your assistance

Howard Bee

From: Judith Iddon
Sent: 24 August 2006 15:12
To: Howard Bee
Cc: Sonia Charles-Cross
Subject: GAMBLING ACT 2005

Importance: High

Howard

On 21 July you forwarded to Jane Meek a copy of the draft Statement of Principles document re the above for comments. Staff in the Development and Regeneration Unit have been consulted and there are no comments.

Thanks

Judith

Judith Iddon
Office Support Assistant
Chorley Council
DD: 01257 515276
E-MAIL: judith.iddon@chorley.gov.uk



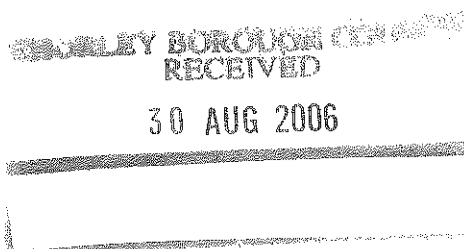
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Rowan House
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Darrington
West Yorkshire
WF8 3DH

Tel/Fax: 019777 99 100

Head of Licensing
Chorley Borough Council
Town Hall
Market Street
Chorley
Lancashire
PR7 1DP



28 August 2006

Dear Sir/Madam,

GAMBLING ACT 2005 – DRAFT STATEMENT OF LICENSING POLICY

Thank you for providing this Association with the opportunity to comment on your draft policy.

The British Beer & Pub Association (BBPA) represents brewing companies and their pub interests, and pub owning companies, accounting for 98% of beer production and around two thirds of the 60,000 pubs in the UK. Many of our members own and run pubs in the Chorley area. The Association promotes the responsible sale of alcohol and management of licensed premises. It has a range of good practice information and guidance for member companies. Further information is available on our website at www.beerandpub.com.

This response is also supported by BII, the professional body for the licensed retail sector, the Association of Licensed Multiple Retailers (ALMR), which represents the interests of smaller independent companies within licensed retailing and the Federation of Licensed Victuallers Association (FLVA) which represents self-employed licensees in England.

Notification or Application? Para 22.1 rightly explains that there is an automatic entitlement for 2 machines with the licensee simply required to notify the local authority. However, the next paragraph, 22.2, speaks of applications. The earlier paragraph stipulates that the notification must come from the 'premises licence holder' and that notification would only be made to the LA in which the premises are located. We believe therefore that paragraph 22.2 serves no purpose but to confuse and should not be included in the final policy.

The protection of children and vulnerable persons

We would like to take this opportunity to emphasise that pubs have had amusement with prize machines on their premises for many years. The BBPA has been pressing for legislation prohibiting under 18s from playing all cash machines (ACMs) since before the introduction of our Code of Practice on Minimum Age of Players, and we therefore very much welcome the restriction now contained in the new Gambling Act. The Association first introduced its Code of Practice in 1998, and has kept it under regular review since then. As a result of the Code, which is supported by other trade bodies including the ALMR, BII, FLVA and BACTA, ACMs coming on to the market include the "No Under 18s to Play" prohibition notice in the front of the machine. The inclusion of this notice has been achieved at the instigation of the Association in co-operation with machine suppliers.

BBPA member company training schemes also reinforce the management of the machines to ensure the minimum age requirement is complied with, for example by requesting recognised ID such as a PASS accredited proof of age card, driving licence or passport where there is doubt that the player is 18 years of age or over.

Grant of additional permits

While there is no actual requirement under the Gambling Act 2005 for machines to be sited in the bar, we believe that supervision of machines is very important and this is again reinforced by our Code of Practice and staff training. Under the new regime, when operators apply for additional machine permits and they are complying with the Gambling Commission Code of Practice (which will of course replace the BBPA Code), there is no reason why these should not be granted. It would be helpful if the Statement of Principles could reflect this.

Application procedures for more than two machines

The Association would welcome the inclusion in the policy of an outline of the application procedures for permits for more than two machines. We understand that some councils are taking the view that they will grant up to four machine permits without the need for a hearing. We support such an approach in the interests of reduced administration and bureaucracy for both Councils and applicants and would encourage you to consider this possibility.

Both the BBPA and LACORS have been concerned about the lack of a generic application form for permits. We understand that LACORS are now working on a standard application form for permits which could be used by Councils and applicants. It is obviously in the interests of businesses and local authorities to have such a form. We fully support this approach and hope you will adopt the LACORS form once it is produced.

Transitional arrangements

As the implementation date of 1st September 2007 approaches, it is likely that the Council will receive increasing numbers of enquiries from alcohol licensed premises wanting to find out what will happen to their existing machine permissions. It would therefore be helpful if some reference to transitional arrangements could be included either in the policy or in the form of separate guidance.

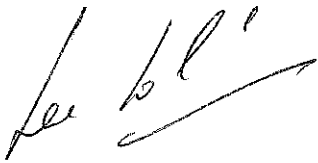
We appreciate that these arrangements will not be absolutely clear until the regulations have been finalised, but it is our understanding (based on the DCMS Transitional Arrangements consultation)

that pubs will be automatically entitled to provide the same number of machines as they are currently permitted to provide. This provision is not subject to approval by the licensing authority and their existing permissions should be automatically transferred to the new legislative framework.

After this, if it becomes evident that there is a problem with the premises, the licensing authority has the power to remove the permission or to reduce the number of machines permitted, as stated in the draft policy.

We trust that these comments are helpful and that they will be taken into account in the final version of the policy. The BBPA is committed to ensuring a smooth transition to the operation of the new gambling regime and looks forward to working with you to achieve that objective.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Lee Le Clercq', with a long horizontal flourish extending to the right.

Lee Le Clercq

Howard Bee

From: Linda Malcolm [LindaM@bacta.org.uk]
Sent: 06 October 2006 15:25
To: Leslie MacLeod-Miller
Cc: Linda Malcolm
Subject: BACTA RESPONSE TO DRAFT LICENSING POLICIES

6th October 2006

Dear Local Authority

BACTA RESPONSE TO DRAFT LICENSING POLICIES

On behalf of BACTA (British Amusement Catering Trades Association) we are pleased to have an opportunity to comment upon your draft Gambling Act 2005 licensing policy statement.

We realise that it is extremely difficult to comment in a meaningful way regarding the manner in which local authorities will fulfil their duties under the Act because fundamental instruments of regulation which directly impact upon the regulation of gaming machines have yet to be finalised.

1. Mandatory and default conditions and Codes of Practice

In particular the mandatory and default conditions which will apply to premises licences are currently under consultation. In addition operators licence conditions and codes of practice have yet to be finalised and indeed are still at an early stage of consultation with the Gambling Commission. The codes of practice will address the manner in which facilities for gambling are provided (whether by the holder of a licence under the Act, or by another person). In particular Section 24 of the Act provides that the codes will describe arrangements that should be made by a person providing facilities for gambling for the purposes of – (a) ensuring that gambling is conducted in a fair and open way, (b) protecting children and other vulnerable persons from being harmed or exploited by gambling and (c) making assistance to persons who are or may be affected by problems relating to gambling. Social responsibility provisions of these codes will become licence conditions, the breach of which can result in heavy fines or imprisonment.

The gaming machine industry has been operating responsibly for many years under voluntary codes of practice which were developed in conjunction with the Gaming Board. BACTA is now working with the Gambling Commission to develop the mandatory codes which will continue to regulate the industry.

2. Background to deregulation / risk assessment / existing industry well regulated/grandfather rights

It should be recalled that the Gambling Act 2005 was introduced after a thorough investigation of the social impact of the UK gambling industry resulted in the Budd Report and the Government's response in A Safe Bet for Success. Those reports concluded that the UK gambling industry had a worldwide reputation for probity and responsible gambling and should therefore be the subject of deregulation which decreased bureaucracy. Indeed the Government noted in the Risk Assessment which accompanied the Act that "the current system of regulation has worked well, but, because of its age, does not address effectively the risks associated with innovations such as internet gambling". Through the passage of the Bill the Minister assured the industry that current entitlements of those operating gaming machines would be automatically preserved by converting them into new licences under the Act. The industry is currently working with the DCMS and the Gambling Commission to ensure that these grandfather rights are honoured. Regulation under the Gambling Act is to reflect restrictions being placed upon gambling facilities only where there is a real regulatory need after consideration of the evidence in the light of the precautionary principle.

The Government review of the risk base for premises currently operating under the 1968 Act was set forth in the RIA referred to above. Assessments must be evidence based and restrictions imposed only where there is evidence of a real regulatory need

3. Local authority discretion

The exercise of local authority's discretion is an essential part of regulation under the Act and the principles that are to be applied are to be viewed against the duty of the licensing authority under Section 153 which is to "aim to permit the use of premises for gambling".

4. Duplication to be avoided / BACTA to respond when more is detail in place

It is BACTA's intention to engage once again with local authorities when the essential elements of regulation have been more fully developed and is eager to provide assistance to the local authorities in developing regulation that reflects the five principles of Better Regulation. Clearly in the absence of clarity regarding the outstanding aspects of regulation it is highly likely that current proposals by local authorities will unnecessarily duplicate regulation emanating from the Commission which will necessitate adjustment in due course.

5. Interested parties

It is noted that Gambling Commission Guidance states that 'interested parties' includes trade associations and although BACTA is not of itself an interested person under the terms of the Gambling Act 2005 it does represent, through its members, parties who live sufficiently close to premises to be affected by activities being applied for.

6. General principles**Proximity / location**

The reference to proximity of premises to schools, vulnerable adult centres or to residential areas with high concentration of families with children must be considered in the light of evidence that such proximity would actually cause a breach of the licensing objectives. Unless there is evidence that the regulation of gaming facilities is insufficient under the Act, taking into consideration licence conditions and codes of practice, it would not be appropriate for a licensing authority to take action based upon proximity alone. A decision may only be taken based upon a reasonable analysis of evidence and

therefore mere concern is insufficient ground for the refusal of an application or the imposition of conditions. It must be noted that no action should be taken by a local authority in contravention of the Minister's assurances regarding grandfather rights referred to above or contrary to a licensing authority's duty to permit gambling.

7. **Conditions**

It should be noted that conditions remain under discussion with DCMS and the Commission. Conditions must not duplicate protection which is already imposed by regulation from the Commission. Therefore before any condition is imposed there must be:

- identification of which of the Licensing Objectives is threatened;
- actual evidence of such threat;
- reasons why the proposed condition would be effective to address such threat, and
- reasons why such threat is not already addressed by existing regulation in the form of operators licence conditions, premises licence mandatory conditions and Gambling Commission codes of practice.

8. **Door supervision**

It should be noted that it was not Parliament's intention to require door supervision other than in relation to casinos under Section 176. Therefore a condition for door supervision should not be imposed unless justified on the basis of the application of pre-requisites applying to the addition of conditions set out under the heading above.

9. **Protection of children and other vulnerable people / Category D machines**

BACTA fully supports the protection of children and the vulnerable. The Act contains specific offences under Parts 3 and 4 which include heavy fines and imprisonment should children and young people be exposed to adult only environments. Parliament considered that such penalties would be effective to deter breaches of the Act. In particular the DCMS conducted a detailed review of evidence regarding the way in which Category D machines are offered to children and concluded that there was no evidence of harm. The Minister stated to Parliament that any change in the way in which Category D machines were offered would be based on evidence and discussed before Parliament. It would therefore be inappropriate for a licensing authority to impose restrictions that were contrary to Parliamentary intention or Parliamentary process.

10. **Definition of premises**

Premises is defined by the Act as 'any place'. Historically the concept of a premises within a premises has operated without evidence of any difficulty. Indeed the RIA produced by the Government noted that current regulation had 'worked well'. Historical examples of a premises within a premises include piers, motorway service stations, etc. DCMS lawyers confirmed during the passage of the Bill that this concept of a premises within a premises would continue under the 2005 Act, subject, of course, to any conditions applicable to individual licences. It should be noted that Parliament provided that certain premises would permit direct access from areas licensed for family admission to those which are restricted to adults only. Of course the adult only areas are subject to conditions regarding protection of the three licensing objectives and there are severe penalties set out in Parts 3 and 4 of the Act for breach. The gaming machine industry has operated designated adult areas within family entertainment areas for over 10 years and on the basis of evidence Parliament has accepted that this model of direct access should be adopted specifically in relation to licensing FECs and regional casinos. Should there be evidence in the future that the licensing objectives are not upheld, the Secretary of State has the power to react through due Parliamentary process. While licensing authorities should take particular

care in considering applications for multiple licenses under one premises, their concern should be to ensure that there are clear barriers and that the license conditions are properly observed. It is clearly Parliamentary intention to permit adjacent adult and family areas referred to above, however, the direct internal access to such areas must be sufficiently clear to prevent "drift". It should be recalled that the demand test does not apply under the Act and therefore licensing authorities should not refuse an application based upon their view of the numbers of machines which will be permitted in a particular geographical area. The focus for attention should be to ensure that each licensed premises complies with licence conditions and codes of practice.

11. Advertising

It should be noted that BACTA is currently in consultation with the Commission regarding the advertising code of practice, however, the basic principle to be applied is that one can advertise any service or facility which can legally be offered under the Act. Therefore, eg, children can be featured in an advertisement which is in respect of an FEC and it would not be an offence to advertise the availability of a Category D machine for play in respect of children in premises legally entitled offer such facilities.

12. (Alcohol) Licensed premises gaming machine permits (Schedule 13 paragraph 4(1))

Historically alcohol licensed premises such as pubs have frequently sited more than two gaming machines of Category C or D and there is no evidence that this has caused any issues which would give rise to concern by reference to the licensing objectives. Indeed the RIA referred to above noted that current regulation 'works well'. The Minister has guaranteed that those premises that currently site more than two machines will automatically be entitled to grandfather rights, ie a conversion of current entitlements into entitlements under the 2005 Act. This principle should be preserved by licensing authorities and machine numbers should only be reduced if there is evidence of a real regulatory need.

BACTA would be pleased to discuss any of the matters contained in this response or provide any assistance to ensure a smooth transition of a currently well regulated industry to regulation under the new Gambling Act 2005 in accordance with the Cabinet Office Principles of Better Regulation.

Yours sincerely



Leslie MacLeod-Miller
General Counsel
BACTA

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09/10/2006

Howard Bee

From: Hoghton Parish [hoghtonparish@talktalk.net]
Sent: 24 September 2006 14:59
To: Licensing
Subject: Gambling Act 2006

Dear Mr Bee

Thank you for your letter about the Borough Council's Role in the implementation of the provisions of the Act.

Having read the Statement of Principles` the Parish Council considers that Parish Council should be consulted on the licensing of premises in their area.

yours sincerely

Tony Harkness

Clerk

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Elizabeth Riley

From: brindleparish [brindleparish@talktalk.net]
Sent: 12 August 2006 14:37
To: Licensing
Subject: Gambling Act 2005

Dear Mr Bee

Thank you for your letter about the Borough Council's Role in the implementation of the provisions of the Act.

Having read the Statement of Principles` the Parish Council considers that Parish Council should be consulted on the licensing of premises in their area.

yours sincerely

Tony Harkness

Clerk

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PART A: GENERAL

1.0 The Licensing Objectives

1.1 In exercising most of the functions under the Gambling Act 2005 (the Act), Chorley Borough Council (the Council) is designated the Licensing Authority (the Authority) and must have regard to the licensing objectives as set out in Section 1 of the Act. The licensing objectives are:

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

1.2 The Gambling Commission has specifically stated that the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling, to which the Authority will have regard.

1.3 In accordance with Section 153 of the Act, the Authority shall aim to permit the use of premises for gambling in so far as it thinks it:

- In accordance with any relevant code of practice issued by the Gambling Commission under Section 24 of the Act;
- In accordance with any relevant guidance issued by the Gambling Commission under Section 25 of the Act;
- Reasonably consistent with the licensing objectives, and
- In accordance with this Statement of Principles.

1.4 A Glossary of the key terms used in this Statement of Principles is detailed at Appendix 1.

2.0 Introduction

2.1 Chorley Borough Council is situated in the County of Lancashire, which contains 12 District Councils and 2 unitary authorities. The Borough has 23 Parish councils and a population of 100,449 (National Census 2001), covering an area of 80 square miles.

The Borough is set in attractive countryside between the West Pennine Moors and the Lancashire Plain.

A map of the Borough is in Appendix 2

Legal background and rationale

2.2 This Statement of Principles (the Statement) sets out the manner in which the Authority will generally apply to promote the licensing objectives when considering and making decisions on applications made under the Act. This Statement has been prepared under Section 349 of the Act and in accordance with the Gambling Commission's Guidance (the Guidance) for Licensing Authorities issued under Section 25 of the Act. The Authority is therefore constrained by the provisions of the

Act, the Guidance and any Regulations made under the Act. However, the Authority may depart from the Guidance if it has reason to do so, but will give full justification for such departure.

- 2.3 The Authority is required by Section 349 of the Act to publish this Statement, which it proposes to apply when exercising its functions. This Statement shall be effective from the 31 January 2007, and shall remain in effect for three years; therefore this Statement will be reviewed in January 2010. Following this full review of its Statement, and prior to its publication, the Authority will consult fully those groups and individuals consulted on this version.
- 2.4 This Statement will also be kept under review during this three year period, and accordingly, the Director of Customer, Democratic and Legal Services will maintain an 'Issues Log' in which all issues pertaining to this Statement will be recorded. Therefore the Authority will make revisions to the Statement from "time to time" as it considers appropriate. For example, where relevant issues have arisen, or where matters recorded in the 'Issues Log' indicate that such a review is required. A further consultation will be carried out on any amendments made to the Statement, and the Statement will be re-published.
- 2.5 Nothing in this Statement will override the right of any person to apply under the Act for a variety of permissions and have that considered on its own merits and according to the statutory requirements of the Act.
- 2.6 Nothing in this Statement will override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act.
- 2.7 The Council also has a responsibility under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to reduce crime and disorder in its area. Accordingly, it is recognised that prevention of crime and disorder is a vital element of ensuring the quality of life in a community and an important aspect of a successful and vibrant economy.
- 2.8 The Authority recognises that in considering applications and taking of enforcement action under the Act, it is subject to the Human Rights Act 1998 and in particular:
- Part 1 of the First Protocol - peaceful enjoyment of possessions.
 - Part 6 right to a fair hearing.
 - Part 8 respect for private and family life.
 - Part 10 right to freedom of expression.

The Authority also acknowledges the rights of businesses in its area to operate, but this must be balanced against the rights of residents not to be disturbed by unreasonable nuisance caused by licensed premises/activities. Full consideration has been given to these issues in formulating this Statement.

- 2.9 This Statement recognises the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, which places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. This Statement also recognises that the Council is required to produce a race equality scheme assessing the impact of proposed policies on race equality and to monitor policies for only adverse impact on the promotion of race equality, and this Statement is referenced in this race equality scheme. The Authority, in determining applications, will have regard to this legislation so as to avoid any possible indirect discriminatory impact on particular ethnic groups.

- 2.10 This Statement recognises the Disability Discrimination Act 1995, however no condition will be attached to a licence or certificate that conflicts or duplicates this requirement.
- 2.11 The Authority will steer to avoid duplication with other regulatory regimes as far as possible eg health & safety at work and fire safety requirements.
- 2.12 Unmet demand is not a criteria for the Authority in considering an application for a premises licence.

Development process and consultation

- 2.13 The Council consulted widely upon this Statement before finalising and publishing the document. A list of the persons consulted is provided at appendix 3.

- 2.14 The Act requires the Authority to consult the following parties:

Chief Officer of Police.

One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area.

One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

- 2.15 The 12-week consultation took place between 23rd July 2006 and 13 October 2006 and followed the Revised Code of Practice for public consultations, which came into effect in April 2004, and the Cabinet Office Guidance on consultations by the public sector. These documents are available via: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/>

- 2.16 The full list of comments made, and the consideration by the Council of those comments, is available from the Council using the contact details given at appendix 5.

- 2.17 The Statement was approved at a meeting of the Full Council on and was published via/on the Council's website on Copies have been placed in the public libraries in the Borough, as well as being available in the Council's Licensing Service at the address given in appendix 5.

- 2.18 If you have any comments as regards this Statement, please send them via e-mail or letter to:

Howard Bee, Licensing Manager

Telephone: 01257 515665

Fax: 01257 515197

Email: licensing@chorley.gov.uk

mailto: licensing unit, Chorley Borough Council, civic offices, Union Street, Chorley PR7 1AL

Webpage: <http://www.chorley.gov.uk/section.asp?cat=1764>

3.0 Declaration

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

4.0 Responsible Authorities

4.1 These are specified in Section 157 of the Act and are set out in appendix 4.

4.2 When exercising its powers under Section 157(h) of the Act to designate, in writing, a body that is competent to advise the Authority about the protection of children from harm, the Authority is required to state the principles it will apply. These principles are:

The need for the body to be responsible for an area covering the whole of the licensing authority's area;

The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

4.3 Therefore, in accordance with the Guidance, the Authority designates Lancashire County Council Social Services Directorate as the body that is competent to advise the Council about the protection of children from harm.

4.4 The contact details of all the Responsible Authorities under the Act are given at appendix 4 and are also available via the Council's website at:

<http://www.chorley.gov.uk/section.asp?cat=1764>

4.5 Responsible authorities are public bodies that must be notified of applications and are entitled to make representations to the Authority for and, in relation to, premises licences.

5.0 Interested parties

5.1 Section 158 of the Act defines an Interested Party. An Interested Party can make representations about licence applications, or apply for a review of an existing licence.

5.2 Section 158 of the Act defines an interested party: as any person who:

- Lives sufficiently close to the premises to be likely to be affected by the authorised activities; or
- Has business interests that might be affected by the authorised activities; or
- Acts as a representative of those persons who satisfy either of the above points.

5.3 The Authority will consider whether a person is an interested party with regard to particular premises on a case-by-case basis and make a decision upon its merits. However, the Authority may have regard to a number of factors when making its decision eg the size of the premises and the nature of the activities taking place. Larger premises may be considered to affect people over a broader geographical area compared to smaller premises offering similar facilities.

The factors that the Licensing Authorities may take into account when determining 'what sufficiently close to the premises' means, may include:

- size of the premises;
- nature of the premises;
- distance of premises from the location of the person making the representation;
- potential impact of the premises (number of customers, routes likely to be taken by customers) and;
- circumstances of the complainant. The Licensing Authority will not take into account the personal characteristics of the complainant but the interests of the complainant which may be relevant to the distance from the premises eg the Licensing Authority would reasonably conclude that "sufficiently close to be likely to be affected" could have a different meaning for a private resident or a residential hostel for vulnerable adults.

5.4 The Authority will consider the examples of considerations provided in the Guidance when making a decision as to whether or not a person is an interested party. If the Authority does not wish to follow the Guidance in any respect, it will provide written reasons as to why this deviation has taken place, noting that decisions on Premises Licences must be "in accordance" with the Guidance.

5.5 Interested parties may include trade associations, trade unions, residents and tenants associations. However, it will not generally view these bodies as interested persons unless they represent a person or body who comes within the definition as set out in paragraph 5.2

5.6 Persons representing these interested parties may also be persons who are democratically elected such as ward Councillors, Members of Parliament and Parish Councillors. Other than these persons, the Authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation will be deemed as sufficient. The Licensing Authority will have regard to anything an interested party says about his status to make representation.

5.7 Persons with business interests that could be affected:

The Licensing Authority will have to be satisfied that a relevant business is likely to be affected.

The Licensing Authority is aware that the "demand tests" in previous legislation has not been preserved in the 2005 act.

The Licensing Authority consider factors likely to be relevant to include:

- size of the premises;
- 'catchment' area of the premises and;
- whether the person making the representation has business interests in the area that may be affected.

5.8 If individuals wish to approach ward Councillors to ask them to represent their views, then care should be taken that the Councillors are not part of the Statutory Committee that will deal with the licence application. If there are any doubts, please contact the Council's Licensing Section using the contact details given at Appendix 5.

6.0 **Exchange of Information**

- 6.1 Sections 29 and 30 of the Act require the Authority to state the principles to be applied by the Authority with respect to the exchange of information between it and the Commission. In addition, Section 350 of the Act also requires the Authority to state the principles to be applied with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 In this regard, the Authority will act in accordance with the provisions of the Act in its exchange of information, which includes the provision that the Data Protection Act 1998 will not be contravened and conform to the requirements of the Freedom of Information Act 2000. The Authority will also have regard to any Guidance issued by the Commission to Local Authorities on this matter, as well as any relevant regulations, codes of practice etc.
- 6.3 Where any protocols are established to facilitate such exchange of information, these will be made available.
- 6.4 Details of those persons making representations will be made available to applicants to allow for negotiation and, in the event of a hearing being required, will form part of a public document. Any person making a representation, or applying for review of a premises licence, will be informed that their details will be disclosed.

7.0 **Integration Strategies**

General

- 7.1 There are many stakeholders in the gambling industry, covering a wide range of disciplines. Many are involved, directly or indirectly, in the promotion of the licensing objectives. The Authority, therefore, recognises that as part of implementing local authority cultural strategies, proper account should be taken of the need to encourage such activities for the wider cultural benefit of the community. The Authority will aim to monitor the impact of its decisions to ensure that this principle is being upheld.
- 7.2 Many of these strategies deal in part with the licensing function, and the Authority will establish appropriate liaison arrangements to ensure proper integration of local crime prevention, planning, local transport, tourism and cultural strategies.
- 7.3 Coordination of duties will involve close, and regular, liaison with Responsible Authorities. This shall be carried out through regular local meetings, regarding strategic and operational issues raised by the Act.
- 7.4 The Authority recognises the need to avoid so far as possible duplication with any other regulatory regimes. However, some regulatory regimes do not cover the unique circumstances of some entertainment and, where relevant representations have been received, the Authority will consider attaching conditions to a licences or permission where these are necessary for the promotion of the licensing objectives and are not already provided for in any other legislation.

8.0 Enforcement

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

8.2 The Authority's principles for enforcement are that:

It will be guided by the Guidance and any code of best practice and aim to be:

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

8.3 In accordance with the Guidance, the Authority will endeavour to avoid duplication with other regulatory regimes so far as possible. The Authority will also, as recommended by the Guidance, adopt a risk-based inspection programme of premises. This involves targeting high-risk premises which require greater attention whilst operating a lighter touch in respect of low risk premises. In this way, resources are more effectively concentrated on problem premises. The criteria and programme that the Authority is to use to determine the level of risk in respect of risk will be made available separately from this statement.

8.4 The main enforcement and compliance role for the Authority will be to ensure compliance with the Premises Licences and other permissions that it authorises. The Commission will be the enforcement body for Operator and Personal Licences. Any concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority, but will be notified to the Commission. The Commission will also be responsible for compliance as regards unlicensed premises.

8.5 The Authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities and will adopt the principles of better regulation.

8.6 To ensure transparency in its enforcement action, the Authority maintains an enforcement policy to which all staff must comply. A copy of the enforcement policy is available upon request to the Licensing Service, using the contact details provided at Appendix 5.

9.0 Licensing Authority functions

9.1 The Act requires the Authority to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*.
- Issue *Provisional Statements*.

- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits.
- Issue *Club Machine Permits* to *Commercial Clubs*.
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*.
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machine.
- Grant *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.
- Register *small society lotteries* below prescribed thresholds.
- Issue *Prize Gaming Permits*.
- Receive and Endorse *Temporary Use Notices*.
- Receive *Occasional Use Notices*.
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange').
- Maintain registers of the permits and licences that are issued under these functions.

9.2 It should be noted that the Authority is not involved in licensing remote gambling at all. This is the responsibility of the Commission, which is controlled via Operator Licences.

The Licensing Authority will determine the delegated functions under the Act.

9.4 The Licensing Authority is aware that the Code of Conduct will apply in their decision making and that public confidence in their decision making is paramount.

9.5 The general principles that apply in decision making to underpin the Code of Conduct are that members of licensing authorities should:

- serve only the public interest and should never improperly confer an advantage or disadvantage on any person;
- not place themselves in situations where their honesty and integrity may be questioned and make decisions on merit;
- be accountable to the public for their actions;
- reach their own conclusions on the issues before them and act in accordance with those conclusions; and
- uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

10.0 Hearings

- 10.1 A hearing will be arranged to deal with any applications, which cannot be dealt with under delegated powers or resolved by agreement between applicants and interested parties and/or Responsible Authorities.
- 10.2 Each case will be determined on its individual merits.
- 10.3 Hearings will be held at the earliest possible date having regard to the regulations published under the Act and the laws of natural justice. The Licensing Sub-Committee will conduct a quasi-judicial consideration of the application, objections and representations. Members will carefully consider their position should they be requested to hear a matter which occurs in their own ward.
- 10.4 A legal advisor, advocate or a friend may represent applicants where they do not choose to represent themselves. The Authority will endeavour to assist applicants in preparing for and participating in a hearing.
- 10.5 Whilst the Committee and Sub-Committees will usually meet in public they do have the power to hear certain applications in private. A public announcement of the decision will be made at the end of the hearing. The decision determined by the Committee or Sub-Committee will be accompanied with clear reasons for the decisions, having regard to the Human Rights Act 1998, the three Licensing Objectives and all other relevant legislation.
- 10.6 Conditions may be attached to licences where relevant representations are received. Any condition attached to a licence will be related to one or more of the Licensing Objectives, and conditions will not relate to matters, which are the subject of other legislation.

PART B: PREMISES LICENCES**11.0 General Principles**

- 11.1 Where an individual or company proposes to offer gambling for which an operating licence is required, and which is premises based, that individual or company will also need to apply for a premises licence.
- 11.2 Premises licences are issued by the Licensing Authority with responsibility for the area in which the premises are situated. In the Borough of Chorley, the Licensing Authority is Chorley Borough Council.
- 11.3 Premises licences, under Section 150 of the Act, can authorise the provision of facilities on:
- casino premises;
 - bingo premises;
 - betting premises; including tracks and premises used by betting intermediaries;
 - adult gaming centres (for Category B3, C and D machines); and
 - family entertainment centres (for Category C and D machines only).
- 11.4 Premises Licences will be subject to the permissions/restrictions set out in the Act and associated regulations, as well as specific mandatory and default conditions. The Authority is able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 11.5 The 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 code of practice issued by the Commission.
 - In accordance with any relevant guidance issued by the Commission.
 - Reasonably consistent with the licensing objectives.
 - In accordance with this Statement.
- 11.6 The Authority is aware that as per the Gambling Commissions Guidance, moral objections to gambling are not a valid reason to reject applications, and also that unmet demand is not criterion for a Licensing Authority

Definition of “premises”

- 11.7 Premises is defined in the Act as “any place” Section 152 of the Act prevents more than one Premises Licence applying to any place. However, it is possible for a single building to be subject to more than one Premises Licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can be properly regarded as being separate premises will always be a question of fact in the circumstances. However, the Authority follows the Commission guidance and does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 11.8 The Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). The sort of issues that the Authority will consider before granting such

applications eg whether children can gain access, compatibility of the two establishments and ability to comply with the Act. However, the overriding consideration will be, whether taken as a whole, the co-location of the premises with other facilities, has the effect of creating an arrangement that otherwise would or should, be prohibited under the Act.

- 11.9 When considering applications for multiple licences for a building or those relating to a specific part of a building used for other (non-gambling purposes) the Authority will generally require entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.
- 11.10 With certain exceptions, children will not be permitted to enter licensed gambling premises. Therefore applicants should consider carefully how they wish to configure their buildings if they are seeking to develop multi purpose establishments.
- 11.11 The Authority may, where reasonable, require persons operating premises in which gambling takes place to take measures such as the supervision of entrances, segregation of gambling from non-gambling areas frequented by children (if their non-gambling areas are compatible with the requirements of the Act) and the supervision of gaming machines in non-adult gambling specific premises in order to provide the licensing objectives. This will be done by attaching licence conditions where appropriate.
- 11.12 The Act permits premises licences to be granted for passenger vessels. A vessel is defined by the Act (Section 353(1)) as:
- Anything (other than a sea plane or amphibious vehicle) designed or adapted for use on water.
 - A hovercraft; or
 - Anything, or part of any place, situated on or in water.
- 11.13 Structures which are an extension of land are not vessels. The Act applies in relation to a vessel which is not permanently moored or berthed as if it were premises situated in a place where it is usually moored or berthed. The relevant Licensing Authority will be the Licensing Authority for the area in which it is usually moored or berthed.
- 11.14 Where a premises licence is sought for a vessel which will be navigated whilst licensable activities take place the Authority will be concerned with the promotion of the Licensing Objectives on-board the vessel. The Licensing Authority will not focus on matters relating to safe navigation, operation of the vessel, general safety or emergency provision.

Location

- 11.15 Demand issues cannot be considered with regard to the location of premises but considerations in terms of the licensing objectives can. The 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. For example, the Authority would have regard to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families and children. If the Authority is mindful to make any specific decision that states any area(s) where gambling premises should not be located, this Statement will be updated. It should be noted that any such decision would not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how such concerns can be overcome.

Duplication with other regulatory regimes

- 11.16 The Authority will not take into account irrelevant matters ie those not related to gambling and the Licensing Objectives and will seek to avoid any duplication with other statutory / regulatory systems. The Authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. However, the Authority will listen to, and consider carefully, any concerns about conditions, which cannot be met by licensees due to planning restrictions, should such a situation arise.

Licensing objectives

- 11.17 All Premises Licences granted by the Authority must be reasonably consistent with the licensing objectives. With regard to these objectives, the Authority has considered the Guidance and offers the following comments:

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

Notwithstanding the above paragraphs, the Authority will pay attention to the proposed location of any gambling premises in relation to this objective. Therefore, if an area has known high levels of organised crime, the Authority will consider whether gambling premises are suitable for that location.

The Authority is also aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it. Issues of nuisance cannot be addressed under the Act.

Ensuring that gambling is conducted in a fair and open way – The Authority will not concern itself with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences.

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

The Authority will take the approach that in practice this would often mean preventing children from taking part in gambling, and therefore when determining a relevant application, the Authority will consider whether specific measures are required at the premises.

At present no definition is offered with regard to the term “vulnerable persons”, therefore the Authority will consider this objective on a case-by-case basis. However the Guidance does state 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.” Where a practical definition is made available in the future, this Statement will be updated.

- 11.18 Section 183 applies to all premises licences. It attaches a mandatory condition that facilities for gambling must not be provided on Xmas Day (ie 00.01 hrs on 25 December until 00.00 hrs on 26 December).
- 11.19 Secretary of State to set out in Regulations, conditions that must be attached to premises licences.

The Authority shall only consider imposing individual conditions when imposing a more restrictive regime in respect of matters dealt with by mandatory conditions

where there are regulatory concerns of an exceptional nature and any additional licence conditions will relate to the licensing objective.

Conditions

11.20 Any conditions attached to licences will be proportionate to the areas they are trying to address 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.

11.21 Decisions upon individual conditions will be made on a case by case basis. However, there are a number of control measures that the Authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas etc. Specific comments made in this regard under each of the licence types below. The Authority will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

The Licensing Authority recognises that the Act specifies certain conditions which cannot be attached to premises licences namely;

- 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, winnings or prizes.
- These considerations will apply to premises including buildings where multiple premises licences are applicable.

Default Conditions

11.22 These may be imposed by the Secretary of State under Section 168 of the Act.

The Licensing Authority has the power to exclude a default condition and substitute it with one that is either more or less restrictive.

11.23 Section 169 of the Act gives the Authority power to:

- exclude from premises licence any default conditions imposed under S168; and
- power to impose conditions on the premises licences it issues.

The Licensing Authority recognises that default conditions are intended to be the basic industry norm and where it excludes default conditions and replaces them with more restrictive areas it will ensure that it has clear regulatory reasons for doing so.

- 11.24 Where there are specific risks or problems associated with a particular locality or specific premises or class of premises the Licensing Authority may attach individual conditions to address this.
- 11.25 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.

Door Supervisors

- 11.26 The Authority 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.
- 11.27 Where conditions requiring the presence of door supervisors may be attached to premise licences or other permissions, the authority will take account of available evidence, trading history and whether the presence of door supervisors is both necessary and proportionate.
- 11.28 It is noted that the Security Industry Authority cannot licence door supervisors at casinos or bingo premises.
- 11.29 Section 178 of the Act provides that if a condition is attached which requires someone to be responsible for "guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage", such a person would normally need to hold a licence from the Security Industry Authority, the requirement for a SIA licence becomes a condition of the premises licence. Bingo premises and Casino premises are exempt from the need to have licensed door supervisors.

The Authority can specify specific requirements for door supervisors, who are non-SIA registered. This could include training from a recognised provider which could cover:

- Licensing Law.
- Civil and Criminal Law.
- Drug Awareness.
- Equal Opportunities and Customer Service.
- Children and Vulnerable Adults.
- Eviction/Arrest and searching people.
- First Aid.
- Door Supervisor Roles/Procedures and Standards.

12.0 Adult Gaming Centres

- 12.1 Persons operating Adult Gaming centres (AGC's) must hold a gaming machines general operating licence from the Commission and must seek a premises licence from the Licensing Authority.

- 12.2 Section 172(1) of the Act provides that a holder of a Adult Gaming Centre premises licence may make available for use up to four category B Machines; any number of category C or D machines. The Secretary of State will specify that the Category B machines will be restricted to sub-category B3 and B4 machines.
- 12.3 No one under the age of 18 is permitted to enter an Adult Gaming Centre.
- 12.4 The 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 in place to minimise the opportunities for children to gain access to the premises.
- 12.5 The Licensing Authority will expect applicants to offer their own measures/licensing conditions which may cover issues such as:
- Proof of age schemes;
 - CCTV;
 - Door supervisors;
 - 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.

Please note that this list is not mandatory, nor exhaustive.

13.0 **(Licensed) Family Entertainment Centres**

- 13.1 The Act creates two classes of family entertainment centres (FECs)

Licensed family entertainment centres - category C & D machines and which require a premises licence and:

Unlicensed family entertainment centres - category D machines only and require a FEC gaming machine permit (see Section 21 below).

- 13.2 Children and young persons are permitted to enter a FEC and may play on Category D machines only and there must be a clear segregation between the two types of machine so that children do not have access to Category C machines.
- 13.3 The 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 ensure that under 18 year olds do not have access to the adult only gaming machine areas.

- 13.4 The Licensing Authority will expect applicants to offer their own measures/licensing conditions which may cover issues such as:
- Proof of age schemes;
 - CCTV;
 - Door supervisors;
 - 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.'

Please note that this list is not mandatory, nor exhaustive.

- 13.2 The Authority will refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. The Authority will also ensure that any mandatory or default conditions on these Premises Licences are used accordingly.

14.0 **Casinos**

- 14.1 Section 7(1) of the Act states that "a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games". Casino games are, in turn, defined by the Act to mean a game of Chance which is not equal chance gaming.

- 14.2 Licensing Authorities have been given the role of issuing premises licences for casinos and monitoring those licences.

- 14.3 Section 174 of the Act sets out three categories of casino premises licences. These are:

- one regional casino premises licence,
- eight large casino premises licence and
- eight small casino premises licence.

The Secretary of State, after consultation with the Independent Casino Advisory Panel, will specify the areas for the 17 new casinos.

- 14.4 The Licensing Authority recognises that unmet demand is not to be a criterion for a Licensing Authority in considering an application for a premises licence. Each application will be on its merits.

- 14.5 Section 166(1) of the Act provides that a Licensing Authority may resolve not to issue a casino premises licence.

Chorley Borough Council has yet to pass a resolution on a Casino premises.

When the Council makes such a resolution, it will be a resolution passed by Full Council following considered debate and full reasons for the decision will be given.

- 14.6 Notwithstanding the above paragraph, where a licensing authority area is enabled to grant a Premises Licence for a new style casino (ie the Secretary of State has made such regulations under Section 175 of the Act) there are likely to be a number of operators which will want to run the casino.

The Licensing Authority will follow the Commissions guidance for considering applications in these circumstances. In particular, the Licensing Authority will not confuse planning or building regulation considerations with the matter before it. The Licensing Authority will comply with Schedule 9 of the Act and any relevant Codes of Practice in making its determination and in considering the matters to be taken into account when making any such determinations.

- 14.7 The Act authorises the holder of a casino premises licence to make facilities available for betting on virtual events.
- 14.8 The casino premises licence holder must comply with the Code of Practice issued in relation to access to casino premises for children and young persons.
- 14.9 Casino premises are exempt from the need to have licensed door supervisors by virtue of exclusion in the Private Security Industry Act 2001.

15.0 **Bingo premises**

- 15.1 The Act does not give bingo a statutory definition. It is to have its ordinary and natural meaning. The holder of a bingo operating licence will be able to offer any type of bingo game, whether cash or prize. That means that premises with a bingo premises licence will be able to offer bingo in all its forms.
- 15.2 Apart from commercial operators, prize bingo is traditionally a game played in arcades or travelling fun fairs. For these operators, prize bingo is subsumed within the allowances for prize gaming in the Act. This means adult gaming centres, both licensed and unlicensed family entertainment centres, travelling fairs (or any premises with prize gaming permit) will be able to offer prize gaming, which includes prize bingo. In this form of gaming, the nature of the prize must not be determined by reference to the number of people playing the game, and the nature or size of the prize must not be determined by reference to the amount paid for or raised by the gaming. See the section on prize gaming.
- 15.3 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than category D machines. Where category C machines, or above, are available in the premises to which children are admitted, the Authority will ensure that:
- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.
 - Only adults are admitted to this area where the machines are located.

- Access to the area where the machines are located is supervised.
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
- At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

15.4 Under the Act, children and young persons (up to age of 18) cannot be employed in providing any facilities for gambling in bingo premises and children (under 16) cannot be employed in any capacity, at any time when facilities for playing bingo are offered. The Commission will issue further guidance relating to the suitability and layout of bingo premises. The Authority will therefore consider this information when it is published.

15.5 The holder of a bingo premises licence may make available for use up to four category B machines (B3 & B4), any number of Category C and Category D machines.

16.0 Betting premises

Betting machines

16.1 The Act contains a single class of licence for betting premises. However, within this class, there will be different types of premises that will require licensing.

16.2 This section relates to off-course betting, that is betting that takes place other than at a track. Please see Part 17 for track betting.

16.3 The Licensing Authority is responsible for issuing and monitoring premises licences for all betting premises.

16.4 Children and young persons will not be able to enter premises with a betting premises licence.

16.5 The holder of a betting premises licence may make available for use up to four gaming machines of Category B (B2, B3 and B4), Category C and Category D. See Part 27 for information on gaming machines.

16.6 The Act provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Such machines will not count towards the maximum permitted number of gaming machines nor have to comply with any stake or prize limits. However, machines that take bets on virtual races (re images generated by computer) are classed as gaming machines and do count towards the maximum permitted number of gaming machines and must meet the relevant category limitations for the premises.

16.7 The Licensing Authority has the power to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a condition to the betting premises licence.

16.8 When considering whether to impose a condition to restrict the number of betting machines in a particular premises the Authority will take into account any known or likely breach of licensing objectives, the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons.

16.9 Section 183 of the Act attaches a condition to a betting premises licence that facilities for gambling must not be provided on Christmas Day (00.01 on 25 December until 00.00 on 26 December).

17.0 **Tracks**

17.1 Tracks are sites where races or other sporting events take place re horse racecourses and dog tracks.

17.2 There is no special class of betting premises licence for a track but the Act contains rules which apply specifically to a premises licence granted in respect of a track.

17.3 Betting is often divided into "on-course" and "off-course" in relation to tracks:

- On-course betting operator - comes onto the track temporarily, while races are taking place and operates at the track side.
- Off-course betting operators - may, in addition to the premises away from the track, operate self-contained betting premises within the track premises (See Part 16)
- Pool betting - can take place on tracks, but only on certain types of track, and the people who run it are limited.

17.4 Tracks are different from other premises in that they may be subject to one or more Premises Licences, provided each licence relates to a specified area of the track. There can be a primary (betting) licence for the track and, in addition, subsidiary premises licences for other gambling activities may be issued. The Licensing Authority recognises that this will allow racecourses and other track venues to develop leisure facilities which offer a range of gambling facilities where this meets the principles for granting premises licences.

17.5 An applicant for a track premises licence does not need to hold an operating licence unless he, as the occupier of the track, wishes to offer pool betting or general betting facilities himself. If the betting provided on track is by other operators who come on course, they are required to hold the necessary operating licences. They in turn will be covered by the track premises licence held by the track operator.

17.6 Occasional use notices, which can only be issued in relation to tracks, may be relied upon for the provision of betting facilities for no more than 8 days in any calendar year. Please see Part 26.

Gaming Machines

17.7 The Licensing Authority will have regard to any guidance, issued by the Commission relating to the location of such machines and any special conditions relating to them. A betting premises licence does not give automatic entitlement to use gaming machines. However if the track operator who holds the premises licence also holds a pool betting operators licence then up to 4 gaming machines may be sited on the track (Categories B2 to D)

Betting machines

- 17.8 The Licensing Authority 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 by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons when considering the number, nature and/or circumstances of betting machines an operator wants to offer. The Authority will also consider restricting the number and location of such machines in respect of applications for track betting Premises Licences.
- 17.9 The Licensing Authority, following the Commissions guidance, would require all self-contained premises operated by Off-Course betting operators on tracks to be the subject of separate premises licence. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

Condition on rules being displayed

- 17.10 The Licensing Authority may 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.

Applications and plans

- 17.11 The Licensing Authority, subject to any information being prescribed by Regulation, will require applicants for premises licence to submit detailed plans for the racetrack itself and the area used for temporary on-course betting facilities and in 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. Applicants are to ensure that plans submitted with the application make it clear what is being sought 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. This is to ensure the appropriate licence conditions are applied.
- 17.12 There will be mandatory premise licence conditions for horse racecourses and dog tracks in relation to access to tracks by holders of general betting operating licences.
- 17.13 Under the Act, all those under the age of 18 must be excluded from any areas where facilities for betting are provided, and any area where Category B or C gaming machines are located. This is a condition of all track licences.

However, 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, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

- 17.14 The Authority will have particular regard to 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. The Authority would expect Premises Licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

17.15 The Authority will expect applicants to offer their own measures to meet the licensing objectives. For example, appropriate licence conditions may cover such issues as:

- Proof of age schemes;
- CCTV;
- Door supervisors;
- 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.

Please note that this list is not mandatory, nor exhaustive.

17.16 With regard to the protection of vulnerable persons, The Authority will consider measures such as the use of self-barring schemes, provision of information leaflets/helpline numbers for organisations such as 'GamCare'.

Please note that this list is not mandatory, nor exhaustive.

18.0 Travelling Fairs

18.1 The Act defines travelling fairs as "wholly or principally" providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year

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

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

18.4 Travelling fairs do not require a permit to provide gaming machines but must comply with legal requirements about the way the machine operates. They may provide an unlimited number of Category D gaming machines provided that gambling facilities amount to no more than an ancillary amusement at the fair.

18.5 Travelling fairs must comply with Schedule 14 to lawfully offer prize gaming. These are:

- The limits on participation fees as prescribed 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 on the day that it is played.
- The prize for which the game is played must not exceed the prescribed amount (if a money prize) or the prescribed value (if non-monetary prize).
- Participation in gaming must not entitle the player to take part in any other gambling.

19.0 Provisional Statements

- 19.1 When considering Provisional Statements, it is a question of fact and degree whether premises are finished to a degree that they can be considered for a Premises Licence. Similarly, requiring the building to be complete ensures that the Authority can inspect it fully.
- 19.2 The application must be accompanied by plans and other prescribed information.
- 19.3 Responsible authorities and interested parties may make representations and the process for considering an application is as for a previous licence.
- 19.4 Once the premises have been constructed, altered or acquired the holder of a provisional statement may return to the Authority and make application for a premises licence.

In terms of representations about Premises Licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Authority may refuse the Premises Licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

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

- 19.5 The Authority will not take into account irrelevant matters. An example of such an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.

Section 204 of the Act provides for a person to make an application 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.

The Licensing Authority, where an applicant has also applied to the Commission for an operating licence will not take into account the likelihood of an operating licence being granted in its consideration of an application for a provisional statement.

20.0 Reviews

- 20.1 The Authority, under S200 of the Act may also initiate a review of a premises licence or class of premises licence in relation to a particular class of premises, the Authority

may review the use made of the premises and, in particular the arrangements that premise licence holders have made to comply with licence conditions.

In relation to a particular premises the Licensing Authority may review any matter connected to the use made of the premises if it has reason to suspect that licence conditions may not be being observed or for any other reason which gives cause to believe that a review may be appropriate.

Decision to grant application for a review

The Licensing Authority must grant an application for a review unless, it decides to reject the application on one (or more) of the following grounds:

- not relevant to Commission guidance/Codes of Practice, Statement of Principles or licensing objectives eg issues relating to demand, planning, public safety;
- grounds are frivolous;
- grounds are vexatious;
- grounds "will certainly not" cause the Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;
- grounds are substantially the same as grounds used on a previous application relating to the same premises;
- grounds are substantially the same as representations that were made at the time the application for a premises licence was considered.

The Licensing Authority, if action is justified may;

- add, remove or amend a condition imposed by the Licensing Authority;
- exclude a default condition or remove or amend such an exclusion;
- suspend the premises licence for up to 3 months;
- revoke the premises licence.

In determining what action, if any, should be taken following a review the Authority will have regard to the general principles set out in Section 153 of the Act as well as any relevant representations.

The Licensing Authority will hold a hearing unless the applicant and any person who has made relevant representations that have not been withdrawn (that are not vexatious, frivolous or irrelevant) consent to the review being conducted without one.

20.1 A premises licence may be reviewed by the Authority of its own volition or following receipt of an application for a review by a responsible Authority and Interested Party. However, it is for the Authority to determine whether the review takes place. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, or whether it is substantially the same as previous representations or requests for a review.

- In accordance with any relevant code of practice issued by the Commission.
- In accordance with any relevant guidance issued by the Commission.
- Reasonably consistent with the licensing objectives.
- In accordance with this statement.

- 20.2 The Authority can also initiate a review of a licence on the basis of any reason that it considers is appropriate.

PART C: PERMITS / TEMPORARY & OCCASIONAL USE NOTICES

- 21.0 **Unlicensed Family Entertainment Centre Gaming Machine Permits (Statement of Principles on Permits – Schedule 10 paragraph 7)**
- 21.1 Unlicensed FEC's will be able to offer only Category D machines. Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Authority for this permit. Applicants should note that under Section 238 of the Act they must demonstrate that the premises will be wholly or mainly used for making gaming machines available for use.
Permits cannot be issued for vessels or vehicles.
- 21.2 If the operator of a FEC wants to make Category C machines available in addition to Category D machines, the Operator will have to apply for an operating licence from the Commission and a premises licence from the Licensing Authority. (See Section 13 above)
- 21.3 The Authority in accordance with the Guidance has prepared a *statement of principles* that it proposes to apply when considering applications for permits in particular the suitability of an applicant for a permit. In preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25. The Licensing Authority will give weight to child protection issues when considering these permits.
- 2.4 The application for a permit can only be made by the person who occupies or plans to occupy the premises as an unlicensed FEC. If the applicant is an individual he must be aged 18 or over.
- 21.5 Applications for a permit cannot be made if a premises licence is in force for the same premises. The application must be made to the Licensing Authority in whose area the premises are wholly or partly situated.
- 21.6 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 Licensing Unit of Lancashire Constabulary has been consulted on the application.
- 21.7 The Authority cannot attach conditions to this type of permit and the "statement of principles" only applies to initial applications and not to renewals.
- 21.8 *Statement of Principles = This Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. However they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised/ very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also require following the Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in Unlicensed Family Entertainment Centres; 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.*
- 21.9 A permit will have effect for ten years unless it ceases to have effect because it is surrendered or lapses or is reviewed.

21.10 If the person to whom a permit is issued changes their name or wants to be known by another name they may send their permit to the Licensing Authority for amendment with the appropriate fee.

21.11 The permit may lapse for a number of reasons:

- if the holder ceases to occupy the premises;
- if the Licensing Authority notifies the holder of the premises they are not being used as an unlicensed FEC;
- if the individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered or;
- if the company holding the permit ceases to exist or goes into liquidation;
- if the permit holder surrenders it to the Licensing Authority.

21.12 If the permit holder is convicted of a relevant offence set out in Schedule 7 of the Act, the Court may order forfeiture of the permit.

Renewals

21.13 An application for renewal of the permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application.

The 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. The Licensing Authority will consult the Licensing Unit of Lancashire Police regarding any concerns that may have arisen about the use of the premises during the life of the premises.

Maintenance

21.15 The permit must be kept on the premises and be produced when requested to do so by a constable, an enforcement officer or an authorised local authority officer.

22.0 (Alcohol) Licensed Premises Gaming Machine Permits – (Schedule 13 Para 4(1))

22.1 The Act makes provision for premises that holds a Premises Licence under the Licensing Act 2003 for the sale/supply of alcohol on the premises to automatically have 2 gaming machines, of categories C and/or D. The person who holds the on-premises licence merely needs to notify the Authority. The Licensing Authority may remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
- Gaming has taken place on the premises that breaches a condition of Section 282 of the Act.
- The premises are mainly used for gaming.
- An offence under the Act has been committed on the premises.

- The Licensing Authority, before making an order will give the licensee at least 21 days notice and consider any representations that they make.
- 22.2 In determining an application the Licensing Authority will have regard to the Guidance and the licensing objectives and any other matters, which are considered relevant to the objectives.
- 22.3 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Authority will consider that application based upon the licensing objectives, the Guidance, and “*such matters as they think relevant.*” This 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. The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Such measures may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of assistance. With regard to the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.
- 22.4 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 applied for, and dealt with as an Adult Entertainment Centre Premises Licence.
- 22.5 The 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.
- 22.6 The holder of a permit must comply with any Code of Practice issued by the Commission about the location and operation of the machine.
- 22.7 The permit holder can apply to the Authority to amend the permit to reflect a change in the permit holders name.
- 22.8 The permit is indefinite and will remain in effect as long as the premises continue to hold an alcohol licence and the permit holder continues to hold that licence.
- 22.9 The permit holder may apply to vary the permit by changing the number and/or category of machines authorised by it.
- 22.10 The Licensing Authority is able to cancel a permit in the following circumstances:
- the premises are used wholly or mainly by children or young persons;
 - an offence under the Act has been committed;
 - permit holder fails to pay annual fee (excepting any administrative error).
- Before the Licensing Authority cancels a permit they will give the permit holder at least 21 days notice and consider any representations made by the holder.
- 22.11 Where a person applies to the Licensing Authority for a transfer of an alcohol premises licence they will also need to apply separately for the transfer of the licensed premises gaming machine permit.

23.0 **Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))**

23.1 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.

23.2 A prize gaming permit is a permit issued by the Licensing Authority to authorise the provision of facilities for gaming with prizes at specified premises.

23.3 The Authority in accordance with the Guidance has prepared a *Statement of Principles* that it proposes to apply in exercising their functions in considering applicants. In particular, it has specified matters that the Authority propose to consider in determining the suitability of the applicant for a permit.

The Statement of Principles, requires the applicant to set out the types of gaming that he or she is intending to offer and requires the applicant 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.

23.4 Children and young persons may participate in equal chance prize gaming only.

23.5 An application may only be made by a person who occupies or plans to occupy the relevant premises, and if the applicant is an individual, he must be aged 18 or over.

23.6 The application must be made to the Licensing Authority in whose area the premises are wholly or partly situated.

23.7 An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises.

23.8 The Licensing Authority can refuse or grant a permit but cannot attach conditions.

23.9 The Licensing Authority will consult the Licensing Unit of Lancashire Police and will take account of any objections made by Lancashire Police if they are relevant to the Licensing Objectives. Relevant considerations may include the suitability of the applicant in the light of any convictions the applicant may have which would make them unsuitable to operate prize gaming and the suitability of the premises in relation to their location and issues about disorder.

23.10 The Licensing Authority will give weight to child protection issues in making its decision on an application for this permit and the applicant should be able to demonstrate that they have considered such issues and offer up appropriate measures where relevant. The Licensing Authority does not need to but may have regard to the licensing objectives, but must have regard to any guidance produced by the Commission.

23.11 A permit cannot be issued with regard to a vessel or vehicle.

23.12 There are conditions in the Act to which the permit holder must comply, but that the 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.
- The permit will have effect for ten years unless it ceases to have effect and is reviewed.

23.14 The permit may lapse for a number of reasons:

- if the holder ceases to occupy the premises;
- if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity; becomes bankrupt, or sequestration of the estate is ordered;
- if the Company holding the permit ceases to exist, or goes into liquidation.

23.15 The permit also ceases to have effect if the holder surrenders it to the Licensing Authority.

23.16 If the holder is convicted of a relevant offence as set out in Schedule 7 of the Act the Court may order the forfeiture of the licence.

23.17 An application for renewal of a permit must be made during the period beginning with six months before the licence expires and ending two months before it expires. The procedure for renewal is the same as for an application.

27.18 The permit must be kept on the premises and it is an offence not to produce it when requested by a constable, an enforcement officer, or an authorised local authority officer.

24.0 **Club Gaming and Club Machines Permits**

24.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply to this Licensing Authority for a Club Gaming Permit or a Club Gaming machines permit. This is in addition to exempt gaming authorised by the Act. The Club Gaming Permit will enable the premises to provide gaming machines, equal chance gaming and games of chance as described in the regulations. A Club Gaming Machines Permit may not be issued in respect of a vehicle or vessel.

24.2 Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by

its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

- 24.3 Commercial clubs have the same characteristics as members clubs, except that the key difference is that they are established with a view to making a profit eg snooker club.
- 24.4 The definition of miners' welfare institutions has changed. These are associations established for recreational and social purposes. They are managed by representatives of miners or uses premises regulated by a charitable trust which has received funds from one of a number of mining organisations.
- 24.5 Club gaming permits allow the provision of no more than 3 gaming machines from Categories B4, C or D. The club is permitted to choose the combination of machines on its premises.
- 24.6 The Club gaming permit also allows the club to provide facilities for gambling, providing the gambling meets the following conditions:
- (a) equal chance gaming:
- the club does not deduct money from sums staked or won;
 - the participation fee does not exceed the prescribed amount;
 - the game takes place on the premises and is not linked with a game on another set of premises. Games are to be considered linked if:
 - the result of one game is, or may be, wholly or partly determined by reference to the result of the other games;
 - the amount of winnings is wholly or partly determined by the participation of more than one set of players;
 - the game is split by sites so that part of one game is played on one site and another part is played elsewhere.
- (b) Other games of chance:
- the games are prescribed by regulations;
 - that no participation fee is charged otherwise than in accordance with the regulations;
 - that no amount is deducted from sums staked or won otherwise than in accordance with the regulations.
- (c) in respect of gaming machines;
- that no child or young person uses a Category B or C machine on the premises;
 - that the holder complies with any relevant Code of Practice about location and operation of gaming machines.
- (d) That the public, children and young persons are excluded from any area of the premises when gaming is taking place.
- 24.7 A 48 hour rule applies in respect of all three types of gaming, so that the game may be played by people who have been members of the club for at least 48 hours, or have applied or been nominated for membership or are genuine guests of a member.
- 24.8 There are a number of premises that are not licensed to sell alcohol but have been entitled to site gaming machines by virtue of being registered under Part II or III of the

Gaming Act 1968. These premises may apply for a club machines permit. Before granting the permit the Authority will need to satisfy itself that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18.

24.9 Applications accompanied by the prescribed fee and documents must be made to the Licensing Authority in whose area the premises are situated. The applicant must also copy the application to the Commission and Lancashire Police.

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

- (a) The applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) The applicant's premises are used wholly or mainly by children and/or young persons;
- (c) An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) A permit held by the applicant has been cancelled in the previous ten years; or
- (e) An objection has been lodged by the Commission or the police (Gambling Commission's draft Guidance for Local Authorities 25.18).

If the Licensing Authority is satisfied that (a) or (b) is the case it must refuse the application. The Licensing Authority will have regard to the relevant guidance issued by the Commission and (subject to that Guidance), the Licensing Objectives

24.11 There is also a 'fast-track' procedure available for premises which holds 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 Lancashire Police, and the grounds upon which the Authority can refuse a permit are reduced. 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;
- 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."

24.12 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

24.13 The permit will have effect for ten years unless it ceases to have effect because it is surrendered, lapsed or renewed.

24.14 Permits may be amended to meet changing circumstances. The Licensing Authority will only refuse a variation if on consideration of a completely new application they would refuse the permit.

24.15 A permit will lapse if the holder of the permit stops being a club or miners' welfare institute, or if it no longer qualifies under the fast track permit system for a permit. In addition, a permit will cease to have effect upon being surrendered to the Licensing Authority.

24.16 The Licensing Authority may cancel a permit if:

- premises are used wholly by children and/or young persons; or
- an offence or breach of a permit condition has been committed in the course of gaming activities by the permit holder.

24.17 Application for renewal of a permit must be made during the period beginning three months before the licence expires and ending six weeks before it expires.

25.0 Temporary Use Notices

25.1 A temporary use notice allows the use of the premises for gambling where there is no premises licence, but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. These may include hotels, conference centres and sporting venues.

25.2 A temporary use notice may only be granted to a person or company holding a relevant operating licence.

25.3 Section 218 of the Act provides that a set of premises is the subject of a temporary use notice if any "part" of the premises is the subject of a notice.

There are a number of statutory limits with regard to Temporary Use Notices. As with the definition of "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the Licensing Authority will look at, amongst other things, the ownership/occupation and control of the premises. The Authority will 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.

25.4 The holder of an operating licence must give notice to the Licensing Authority in whose area the premises are situated in the prescribed form.

25.5 The same set of premises may not be the subject of a temporary use notice for more than 21 days in any 12-month period. The Licensing Authority will issue a counter notice if this limit is exceeded. As notices may be given by different operators in respect of the same premises the Licensing Authority will check whether a counter notice is appropriate.

25.6 A temporary use notice may not be given in respect of a vehicle. It may be given in respect of a vessel but only if it is a passenger vessel or a vessel that is situated at a fixed place.

25.7 A temporary use notice must be lodged with the Licensing Authority not less than three months and one day before the gambling event is to take place in the prescribed form and accompanied by the fee. The application must be copied to:

- the Gambling Commission;
- Lancashire Police;
- HM Commissioners for Revenue & Customs and, if applicable any other licensing authority in whose area the premises are situated.

- In considering whether they wish to give notice of objection, the Licensing Authority will have regard to the licensing objectives and any relevant representations and if it considers that gambling should not take place, or only with modifications, it will give counter notice to the person who gave the Temporary Use Notice.

25.8 If objections are received, the Licensing Authority will hold a hearing to listen to all relevant representations unless all parties agree a hearing is unnecessary.

Those person/bodies which raise objections may offer modifications to the notice that will alleviate their concerns. If such modifications are accepted by the applicant a new Temporary Use Notice must be prepared and the original withdrawn. The three-month time limit and fee will not apply to the new notice. The person who made the original objection and proposed the modification may not object to the new notice, but others to whom it is copied may object.

25.9 The Licensing Authority, may, after a hearing has taken place (or has been dispensed with) determine that the Temporary Use Notice should not have effect. In these circumstances it may issue a counter notice which:

- prevents the temporary use notice from taking effect;
- limit the activities that are permitted;
- limit the time period of gambling; or
- allow the activity to take place subject to a specified condition.

25.10 The Licensing Authority will apply the same principles in issuing a counter notice as those in determining premises licence applications. In particular, the Licensing Authority aims to permit the provision of facilities for gambling under a Temporary Use Notice subject to its view as to whether to do so accords with:

- relevant Codes of Practice;
- guidance issued by the Commission;
- reasonably consistent with the licensing objections;
- this Statement of Policy.

25.11 A copy of the Temporary Use Notice must be displayed prominently on the premises whilst the gambling is taking place.

26.0 Occasional Use Notices

The Act provides that where there is betting on a track on eight days in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence.

The Licensing Authority notes that the meaning of "track" in the Act covers not just a horse racecourse or dog track but also any other premises on any part of which a race or other sporting event takes place or is intended to take place.

26.3 This means that land which has a number of uses, or which fulfils the definition of track, can qualify for occasional use notice provisions (eg agricultural land upon which a point to point meeting takes place).

26.4 The occasional use notice dispenses with the need for a betting licence for the track in these circumstances.

26.5 A notice must be served by a person who is responsible for the administration of events on the track or by an occupier of the track. It must be served on the Licensing

Authority and copied to Lancashire Police. Notices may be given for consecutive days so long as the overall limit of eight days is not exceeded in any calendar year.

26.6 Provided that the notice will not result in betting facilities being provided for more than 8 days in a calendar year, there is no provision for counter notices or objections to be submitted.

26.7 The Commissioner may require the Licensing Authority to provide information about occasional use notices. Where required to do so the Licensing Authority will provide information as requested

27.0 Gaming Machines

27.1 The Act defines "gaming machine" as a machine which is designed or adapted for use by individuals to gamble (whether or not it can be used for other purposes). However, it should be noted:

- there remains a distinction between skill machines and gaming machines. Skill machines are unregulated; and
- Section 235 of the Act contains exemptions for equipment that is not to be considered a gaming machine even when gambling can be performed on it. eg home pc.

27.2 If the Licensing Authority has concerns about the manufacture, supply or repair of machines or the manner in which they are operating, it will bring it to the attention of the Commission.

27.3 The Secretary of State has made regulations defining four classes of gaming machine, Categories A, B, C & D. These are set out in the table below.

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£2.00	£4,000.00
B2	£100.00	£500.00
B3	£1.00	£500.00
B4	£1.00	£250.00
C	£0.50	£25.00
D	10p or 30p when non - monetary prize	£5.00 cash or £8.00 non-monetary prize

27.4 There is a minimum age of 18 for all players for all Category A, B and C machines. There is no minimum age for Category D machines, though the Secretary of State has a reserve power to set a minimum age for Category D machines.

The maximum number of machines permitted is set out by the premise type below -

TYPE	GAMING TABLES (MINIMUM)	GAMING MACHINES
REGIONAL CASINO	40	25 GAMING MACHINES OF CATEGORY A TO D FOR EACH TABLE AVAILABLE FOR USE MAXIMUM OF 1,250 MACHINES
LARGE CASINO	1	5 GAMING MACHINES CATEGORY B TO D FOR EACH TABLE AVAILABLE FOR USE MAXIMUM OF 150 MACHINES
SMALL CASINO	1	2 GAMING MACHINES OF CATEGORY B TO D FOR EACH TABLE AVAILABLE FOR USE MAXIMUM 80 MACHINES
BINGO PREMISES	N/A	4 GAMING MACHINES OF CATEGORY B3 AND B4 UNLIMITED MACHINES CATEGORY C UNLIMITED CATEGORY D MACHINES
BETTING PREMISES	N/A	4 GAMING MACHINES OF CATEGORY B2 TO D
TRACK BETTING PREMISES WHERE POOL BETTING LICENCE HELD	N/A	4 GAMING MACHINES OF CATEGORY B2 TO D
ADULT GAMING CENTRE	N/A	4 GAMING MACHINES OF CATEGORY B3 or B4 UNLIMITED CATEGORY C UNLIMITED CATEGORY D
FAMILY ENTERTAINMENT CENTRE WITH OPERATING LICENCE	N/A	UNLIMITED GAMING MACHINES OF CATEGORY C TO D
FAMILY ENTERTAINMENT CENTRE WITH GAMING PERMIT	N/A	UNLIMITED GAMING MACHINES OF CATEGORY D
MEMBERS CLUB PREMISES	N/A	3 GAMING MACHINES OF CATEGORY B4 TO D
ON SALES ALCOHOL LICENSED PREMISES WITHOUT FOOD RESTRICTION	N/A	2 GAMING MACHINES OF CATEGORY C TO D BY NOTIFICATION UNLIMITED OF CATEGORY C TO D WITH ALCOHOL PREMISES GAMING PERMIT

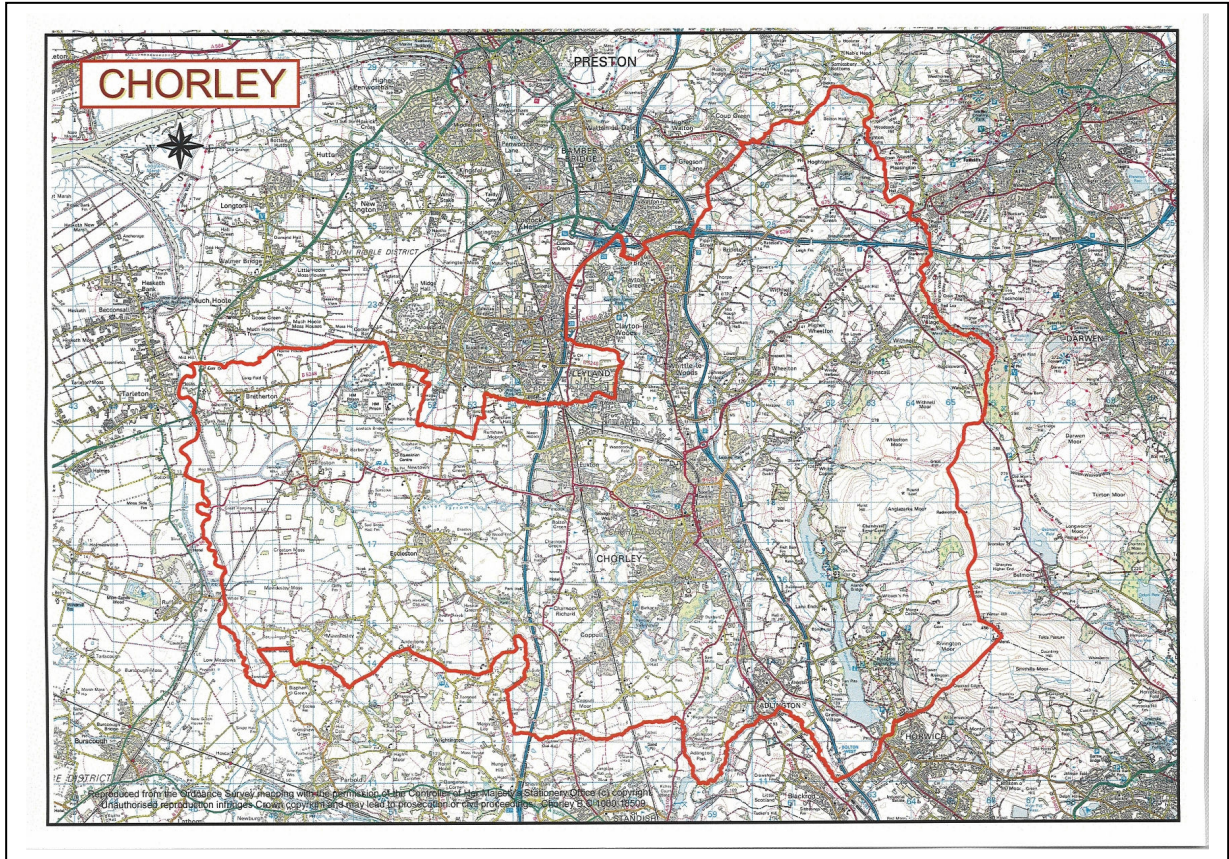
27.6 The Act does not cover machines that give prizes as a result of the application of pure skill by players eg trivia game machines.

APPENDIX 1**Glossary of Terminology**

Licensing Objectives:	As defined in paragraph 1.1
Council:	Chorley Borough Council
District:	The area of Lancashire administered by Chorley Borough Council (Map appended at Appendix 2)
Notifications:	Means notification of temporary and occasional use notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place, including a vehicle, vessel or moveable structure
Code of Practice:	Means any relevant code of practice under Section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence.
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Chorley Borough Council.
Responsible Authority:	As detailed in Appendix 4
Interested Party:	For the purposes of this Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person: <ul style="list-style-type: none"> a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities; b) Has business interests that might be affected by the authorised activities; c) Represents persons who satisfy a) or b) above.

APPENDIX 2

Map detailing key locations in the Chorley District



APPENDIX 3

Schedule of Consultees.

Councillors / MP / Parish Council				
1	Chorley MP Lindsay Hoyle	35-39 Market Street,	Chorley	
2	County Councillor A Whittaker	14 The Warnings,	Heskin	Chorley
3	County Councillor P Wilson	1 Highfield Close,	Adlington	Chorley
4	County Councillor M Livesey	Inglewood, 29 Applefields,	The Mayfield	Leyland
5	County Councillor E Forshaw	176 Wood Lane	Heskin	Chorley
6	County Councillor D Yates	5 Jackson Street	Chorley	
7	Clerk to Adlington Parish Council	14 Mayfield Ave	Adlington	Chorley
8	Clerk to Anderton Parish Council	43 Beech Ave	Anderton	Chorley
9	Clerk to Anglezarke Parish Council	Northwood, White Coppice	Chorley	
10	Clerk to Astley Village Parish Council	9 Ambleside	Euxton	Chorley
11	Clerk to Bretherton Parish Council	90 Hedgerows Road	Leyland	
12	Clerk to Brindle Parish Council	9 Neath Close	Walton-le-dale	Preston
13	Clerk to Charnock Richard Parish Council	321 Preston Road	Standish	Wigan
14	Clerk to Clayton-le-woods Parish Council	6 Stonehouse Green	Clayton-le-woods	Chorley
15	Clerk to Coppull Parish Council	321 Preston Road	Standish	Wigan
16	Clerk to Croston Parish Council	9 Ambleside Ave	Euxton	Chorley
17	Clerk to Cuerden Parish Council	Berkeley Farm, Shady Lane	Cuerden	Bamber Bridge
18	Clerk to Eccleston Parish Council	9 Ambleside Ave	Euxton	Chorley
19	Clerk to Euxton Parish Council	9 Ambleside Ave	Euxton	Chorley
20	Clerk to Heapey Parish Council	9 Ambleside Ave	Euxton	Chorley
21	Clerk to Heath Charnock Parish Council	99 Rawlinson Lane	Heath Charnock	Chorley
22	Clerk to Hoghton Parish Council	9 Neath Close	Walton-le-dale	Preston
23	Clerk to Mawdesley Parish Council	11 Broadfield	Mawdesley	Ormskirk

24	Clerk to Rivington Parish Council	23 Lever Park Ave	Horwich	Bolton
25	Clerk to Ulnes Walton Parish Council	22 Clifton Ave	Leyland	
26	Clerk to Wheelton Parish Council	2 St Mary's Road	Bamber Bridge	
27	Clerk to Whittle-le-woods Parish Council	9 Preston Road	Whittle-le-woods	Chorley
28	Clerk to Withnell Parish Council	Piccadilly Farm	Withnell	Chorley
29	All elected Ward Councillors of Chorley Council			
Responsible Authorities				
30	Director of Development & Regeneration	Chorley Council, Gillibrand Street	Chorley	
31	Director of Streetscene, Neighbourhoods & Environment	Chorley Council, Union Street	Chorley	
32	Gambling Commission Policy Section	Victoria Square House	Victoria Square	Birmingham
33	Regional Inspector for Lancashire & Cumbria Gambling Commission	Victoria Square House	Victoria Square	Birmingham
34	H M Revenue & Customs	Custom House, Custom House Quay	Greenock	
35	Lancashire Constabulary	Chorley Police Station, St Thomas's Road	Chorley	
36	Lancashire Fire & Rescue	Chorley Fire Station, Weldbank Lane	Chorley	
37	LCC Child Protection Service	P.O. Box 78, County Hall	Preston	
38	LCC Trading Standards	58-60 Guildhall Street	Preston	
Trade Associations & Representative Bodies				
39	The British Casino Association	38 Grosvenor Gardens	London	
40	British Amusement Catering Trade Association	Alders House, 133 Aldersgate Street	London	
41	British Holiday & Home Parks Association	6 Pullman Court, Great Western Road	Gloucester	
42	Association of British Bookmakers	Regency House, 1-4 Warwick Street	London	
43	Working Mens Club And Institute Union	253-254 Uppers Street	London	
44	Chorley Community Safety Partnership	Chorley Council, Gillibrand Street	Chorley	

45	Chorley South Ribble Business Club	C/o Lancashire College, Southport Road	Chorley	
Gaming Machine Suppliers / Manufacturers				
46	Leisure Link Ltd	3 The Maltings, Wetmore Road	Burton-on-Trent	
47	Red Rose Leisure	Fleet House, Fleetwood Street	Preston	
48	Gamestec Leisure Ltd	Low Lane, Horsforth	Leeds	
49	Crown Leisure Ltd	139 Brookfield Place, Walton Summit Centre	Bamber Bridge	
Head offices of Gaming Companies				
50	Gala Coral Group Ltd	Newcastle House, Castle Boulevard	Nottingham	
51	Ladbrokes PLC	Imperial House, Imperial Drive, Rayners Lane	Harrow	
52	Stanley Leisure PLC	Stanley House, 151 Dale Street	Liverpool	
53	William Hill PLC	7 th Floor, Milton House, Charter Row	Sheffield	
Gambling Premises within Chorley Borough				
54	William Hill	Corner Eaves Lane / Harpers Lane	Chorley	
55	Ambrose Bookmakers	3 Station Road	Adlington	Chorley
56	Ladbroke Racing Ltd	40-40a Pall Mall	Chorley	
57	Steve's Racing	Rear of Shepherds Arms, Crosse Hall Lane	Chorley	
58	Adlington Racing	179 Chorley Road	Adlington	Chorley
59	Ashcroft Bookmakers	224 Spendmore Lane	Coppull	Chorley
60	Ashcrofts	230 Spendmore Lane	Coppull	Chorley
61	Gala Club	Market Street	Chorley	
62	Imperial Racing	Unit 2c Clayton Green District Centre	Clayton Green	Chorley
63	Kings Racing	11 Cleveland Street	Chorley	
64	Tote Bookmakers Ltd	41 Chapel Street	Chorley	
65	Tote Bookmakers Ltd	10 Cleveland Street / 15 Fazakerley Street	Chorley	
66	Tote Bookmakers Ltd	154 Pall Mall	Chorley	
67	W Ridley Turf Accountants	3 Talbot Row	Euxton	Chorley
68	Stanley Leisure Ltd	9-11 Cheapside	Chorley	

69	MPM Investments	24-26 Chapel Street	Chorley	
70	Goldrush Amusements	108 Market Street	Chorley	
71	Camelot Theme Park	Park Hall Road	Charnock Richard	Chorley
72	First motorway Services	Bolton West M61	Bolton	
73	Charnock Richard Services	M6 Motorway Charnock Richard	Chorley	
74	All alcohol Licensed Premises			
Solicitors/Consultants				
75	Hardwicks Solicitors	10 St Thomas's Rd	Chorley	
76	Wallwork & Company Solicitors	16 St Thomas's Rd	Chorley	
77	Kevills Solicitors	32 St Thomas's Rd	Chorley	
78	Marsdens Solicitors	43 St Thomas's Rd	Chorley	
79	Birchall Blackburn Solicitors	24 St Thomas's Rd	Chorley	
80	Cobbetts Solicitors	Ship Canal House, King Street	Manchester	
81	Flint, Bishop & Barnett Solicitors	St Michael's Court, St Michael's Lane	Derby	
82	Ford & Warren Solicitors	Westgate Point, Westgate	Leeds	
83	Freemans Solicitors	7 St Mary's Place	Newcastle	
84	Gosschalks Solicitors	Queens Gardens	Hull	
85	John Gaunt & Partners Solicitors	Omega Court, 372 Cemetery Road	Sheffield	
86	Roscoes Solicitors	St Andrew's House, Wellington Street (St Johns)	Blackburn	
87	Ridgeway Licensing Services	Harwell Innovation Centre, 173 Curie Ave	Didcot	
88	Russell & Russell Solicitors	Churchill House, Wood Street	Bolton	
89	Licensing Consultancy Services	5 Pine Grove	Ormskirk	
90	InnCourt Licensing Consultancy	65 Mapplewell Crescent, Great Sankey	Warrington	
Other				
91	Chorley Library	Union Street	Chorley	
92	GamCare	2-3 Baden Place, Crosby	London	

		Row		
93	South Ribble Borough Council	Licensing, West Paddock	Leyland	
94	West Lancashire District Council	Licensing P O Box 16 52 Derby Street	Ormskirk	
95	Director of Customer, Democratic & Legal Services	Chorley Council, Town Hall, Market Street	Chorley	
96	Director of Leisure & Cultural Services	Chorley Council, Gillibrand Street	Chorley	
97	Principal Environmental Health Officer	Chorley Council, Union Street	Chorley	
98	Environmental Services Unit	Chorley Council, Union Street	Chorley	
99	Chorley Magistrates Court	St Thomas's Square	Chorley	
100	Preston Magistrates Court	P O Box 52 Lawson Street	Preston	

APPENDIX 4

List of Responsible Authorities

For the purposes of this Act, the following are Responsible Authorities in relation to premises:

1. The Licensing Authority in whose area the premises are wholly or mainly situated (Chorley Borough Council”);
2. The Gambling Commission;
3. Lancashire Constabulary;
4. Lancashire Fire and Rescue Service;
5. Planning Dept Chorley Borough Council
6. Environmental Protection Service, Chorley Borough Council;
7. Social Services Directorate, Lancashire County Council;
8. HM Customs and Excise.

<p>Licensing Section Chorley Borough Council Civic Offices Union Street Chorley Lancashire PR7 1AL</p> <p>Telephone: 01257 515163/4 Fax: 01257 515197 Email: licensing@chorley.gov.uk Web: www.chorley.gov.uk</p>	<p>Planning Services Unit Civic Offices Union Street Chorley Lancashire PR7 1AL</p> <p>Telephone: 01257 515150 Fax: 01257 515297 Email: dcon@chorley.gov.uk Web: www.chorley.gov.uk</p>
<p>Lancashire Constabulary Licensing Unit: C Division Chorley Police Station St Thomas' Road Chorley Lancashire PR7 1DR</p> <p>Telephone: 01257 246215 Fax: 01257 246217 Email: southern-licensing@lancashire.pnn.police.uk</p>	<p>Lancashire Fire & Rescue Services Fire Safety Fire Station Weld Bank Lane Chorley Lancashire PR7 3NQ</p> <p>Telephone: 01257 262919 Fax: 01257 234363</p>
<p>Gambling Commission 4th Floor Victoria square House Victoria House Birmingham B2 4BP</p>	<p>HM Customs and Excise Boundary House Cheadle Point Cheadle Cheshire SK8 2JZ</p> <p>Telephone: 0845 010 9000 Email: mailto:enquiries.nw@hmrc.gsi.gov.uk</p>
<p>Lancashire County Council Social Services Directorate Quality & Review Manager PO Box 162 East Cliff County Offices Preston PR1 3EA Telephone : 01772 531256</p>	<p>Street scene, Neighbourhoods and Environment Chorley Borough Council Civic Offices Union Street Chorley Lancashire PR7 1AL Telephone: 01257 51/5722/5548/5566 Email : environmental.services@chorley.gov.uk Fax : 01257515754</p>

APPENDIX 5**Useful Contacts**

Further information on Chorley Borough Council's Statement of Principles or the Gambling Act 2005 can be obtained from the Licensing Manager using the contact details below. The Director of Customer, Democratic and Legal Services, has overall responsibility for the Licensing Service.

Howard Bee - Licensing Manager
Chorley Borough Council Civic Offices Union Street Chorley Lancashire PR7 1AL
Telephone: 01257 515665
Fax: 01257 515197
Email: licensing@chorley.gov.uk
Webpage: www.chorley.gov.uk/licensing

Information on the Gambling Act 2005 is also available from:

The Department for Culture, Media and Sport
2-4 Cockspur Street,
London SW1Y 5DH
Telephone: 020 7211 6200
Email: enquiries@culture.gov.uk
Internet: www.culture.gov.uk

