

## **LICENSING ACT 2003 SUB-COMMITTEE**

**WEDNESDAY, 4TH NOVEMBER 2015, ON THE RISE OF THE GENERAL LICENSING SUB COMMITTEE**

### AGENDA

#### **APOLOGIES**

1 **DECLARATIONS OF ANY INTERESTS**

2 **EXCLUSION OF THE PUBLIC AND PRESS**

3 **PROCEDURE**

General procedure points and hearing procedure for the meeting (enclosed)

(Pages 3 - 6)

4 **THE GAMBLING ACT 2005 - APPLICATION FOR A GAMING MACHINE PERMIT FOR MORE THAN TWO GAMING MACHINES**

Report of the Director of Public Protection, Streetscene and Community (enclosed)

(Pages 7 - 44)

To view Appendix 5, the Statement of Policy – Gambling Act 2005 [Click here](#)

5 **ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR**

GARY HALL  
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Licensing Act 2003 Sub-Committee Councillor Roy Lees (Chair) and Councillors Anthony Gee and John Walker.

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**CHORLEY BOROUGH COUNCIL****LICENSING ACT 2003****SUB-COMMITTEE****GENERAL PROCEDURE POINTS FOR HEARINGS DETERMINING  
MATTERS UNDER THE GAMBLING ACT 2005****INTRODUCTION**

The Licensing Act 2003 Sub-Committee will conduct hearings in relation to determination of matters under the Gambling Act 2005 in accordance with the following general principles:

- All parties have a right to a fair hearing.
- Decision-making will be conducted in an open, transparent and accountable way.
- Each application will be determined on its own merits and the decision will be based upon:
  - the merits of the application
  - the promotion of the three licensing objectives in the Gambling Act 2005
  - the Council's Statement of Licensing Policy
  - the Guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005
- the Licensing Authority will only permit licensing decisions to be taken by Sub-Committee consisting of three members. In the event of one member being unable to attend, the Licensing authority will use its best endeavours to substitute another member, taken from the membership of the Licensing Act 2003 Sub-Committee reserve list.
- the Sub-Committee may disallow cross-examination in exceptional circumstances; this decision will be taken on a case by case basis with a presumption to allow. However, parties are advised that the Sub-Committee wishes to discourage hostile cross examination.
- late representations and evidence will usually only be considered with the agreement of all parties present.
- decisions will generally be taken regardless of whether the applicant/other party is present unless the Sub-Committee consider it necessary in the public interest to adjourn the hearing to a specified date. All notices and representations from absent parties will be considered.
- the Sub-Committee will generally allow parties a maximum of 30 minutes per party to make all relevant Statements. However, the Sub-Committee recognises that in certain circumstances this may be insufficient due to the complexity of the issues involved. In this situation the Sub-Committee will consider representations from those parties involved in the hearing as to the length required to make all relevant statements. The Licensing Authority respectfully requests that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.

the Sub-Committee recognises that Regulation 8 of The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 requires that all hearings should take place in public unless the committee is satisfied that it is necessary in all the circumstances of the case to hold the hearing in private, having regard to (i) any unfairness to a party that is likely to result from a hearing in public, and (ii) the need to protect as far as possible the commercial or other legitimate interests of a party. The Licensing Authority has adopted the existing criteria in Schedule 12A of the Local Government Act 1972 for excluding the press and public. Generally, the public and the applicant will be excluded when the Sub-Committee is determining a decision. Once a decision has been made all parties will be readmitted and the Chair will announce the decision and give reasons.

- all parties will be notified of the decision in accordance with any periods set down by the Gambling Act 2005 or regulations made there under or where none are prescribed within 5 working days.
- the Sub-Committee has the right to exclude any parties behaving in a disruptive manner at the hearing at its own discretion.

## HEARING PROCEDURE

### PREMISES LICENCE/GAMING MACHINE APPLICATIONS

**1. CHAIR OF SUB-COMMITTEE:**

- opens meeting
- introduces Members and Officers
- confirms details of all parties in attendance
- outlines procedure to be followed

**2. LEAD LICENSING ENFORCEMENT OFFICER OUTLINES THE APPLICATION AND RELEVANT REPRESENTATIONS**

**3. QUESTIONS TO LEAD LICENSING ENFORCEMENT OFFICER FOR CLARIFICATION FROM:**

- Sub-Committee
- The Applicant and/or Legal Representative

**4. THE APPLICANT AND/OR LEGAL REPRESENTATIVE MAKES REPRESENTATIONS REGARDING HIS/HER APPLICATION**

**5. QUESTIONS TO THE APPLICANT AND/OR LEGAL REPRESENTATIVE FROM:**

- Sub-Committee
- Responsible Authorities/Interested Parties Representative (not applicable if a gaming machine permit application)

**6. RESPONSIBLE AUTHORITIES/INTERESTED PARTIES REPRESENTATIONS (not applicable if a gaming machine permit application)**

**7. QUESTIONS TO RESPONSIBLE AUTHORITIES/INTERESTED PARTIES FROM: (not applicable if a gaming machine permit application)**

- Sub-Committee
- The Applicant/ Legal representative

**8. RESPONSIBLE AUTHORITIES/INTERESTED PARTIES INVITED TO BRIEFLY SUMMARISE (not applicable if a gaming machine permit application)**

**9. THE APPLICANT/ LEGAL REPRESENTATIVE INVITED TO SUM UP (IF THEY WISH)**

**10. DECISION MAKING**

All parties retire whilst Sub-Committee makes decision.

**11. NOTICE OF DECISION**

Parties re-admitted and Chair announces decision and reasons.

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Report of	Meeting	Date
Director of Director of Public Protection, Street Scene and Community	Licensing Act 2003 Sub-Committee	4 November 2015

## **THE GAMBLING ACT 2005; APPLICATION FOR A GAMING MACHINE PERMIT FOR MORE THAN 2 GAMING MACHINES.**

### **PURPOSE OF REPORT**

- To bring to the attention of Members an application received from Poppleston Allen Solicitors in respect of an application for a Gaming Machine Permit for more than 2 gaming machines for a premise licensed under the Licensing Act 2003 known as The Highfield Restaurant Southport Rd Leyland.

### **RECOMMENDATION(S)**

- Members are recommended to consider the contents of the report and any representations made by the representative of Mitchells and Butler Leisure Retail Ltd and determine whether or not to grant the application.

### **EXECUTIVE SUMMARY OF REPORT**

- Poppleston Allen Solicitors made application under Schedule 13, of the Gambling Act 2005 for a Gaming Machine Permit for 2 or more gaming machines on behalf of Mitchells and Butler Leisure Retail Ltd being the premises licence holder for The Highfield Restaurant. The application is attached as **Appendix 1**. The Council's Statement of Gambling Policy states that each application will be determined on a case by case basis, the Council's scheme of delegation does not authorise officers to determine the application where the application is for more than 2 gaming machines.

<b>Confidential report</b> Please bold as appropriate	Yes	No

### **CORPORATE PRIORITIES**

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	

### **BACKGROUND**

- The Council has received an application made under Schedule 13 of the Gambling Act 2005 for more than 2 gaming machines for the public house The Highfield Restaurant. The premises benefits from a Premises licence issued under Section 17 of the Licensing Act

2003 authorising the sale of alcohol, this authorisation is a pre-requisite to enable the above application. The Premises Licence PLA0138 and Plan are attached as **Appendix 2**.

6. Where a premises wishes to have more than two machines, then it needs to apply for a Gaming Machine permit and the Authority will consider that application based upon the licensing objectives, the Guidance, and such matters as they think relevant. Members should be satisfied that the granting of the said permit will not undermine the licensing objectives and that the applicant is aware of the positive steps required to promote the licensing objectives. This Authority considers that such applications will be decided on a case-by-case basis, but generally there will be regard for 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. Additionally, 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 Gam Care. It is important that staff are able to see if the machines are being played by any adults with a gambling problem.
7. Officers attended the premises on 8 October 2015 to assess the suitability of the premises to accommodate additional gaming machines in line with the application received. It was noted that two existing Category C gaming machines on the premises are positioned in an area of the premises reserved for over 18s only together with a skills machine. Other areas of the premises are designed as family friendly and the premises promotes its self as such offering a childrens ball play area, extensive restaurant facilities, three crane grab machines and a number of novelty machines dispensing toys. There was no evidence that the premises promoted any advice or guidance to its staff or public in relation to the use or control of the machines. The premises presently benefits from a Gaming Machine Permit for 2 category C machines and 1 category D machine, the application received seeks authority to introduce one additional category D machine.
8. The current Designated Premises Supervisor was not available at the time of the officer visit to the premises.
9. Members will be aware that the following machines were being made available to the public at the time of the licensing visit 8<sup>th</sup> October 2015;
  - 2 x Cat C gaming machines (located within the over 18s area)
  - 1 x skills machine (located within the over 18s area) (genuine skill machines are outside the allotted quota of machines in the Gambling Act 2005)
  - 2 x grab machines (within the main restaurant area)
  - 5 x toy dispensing machines (within the main restaurant area)
  - 1 x grab machines (within the soft ball area)
10. Members will be aware of the recent notification received by the Gambling Commission attached as **Appendix 3**, giving clarification to what category grab machines might fall into given the type of construction, operation and specification. Given the complexity of the different types of grab machines available and the technical specifications offered by the various manufactures officers are not able to determine what category the existing grab machines fall into, there was no obvious marking on the machines as required to advise the public. On 9 October 2015 Officer sought clarification of this issue via the applicants solicitor.
11. Officers received a set of operating instructions for one Prize Zone Crane, this indicates that the machine to which it relates would fall into a Cat D machine, attached as a



**Appendix 4.** Officers have requested clarification as to which grab machine or machines the manual relates, however at the time of writing this report had not received a reply.

- 12. Officers will offer a verbal update as to the status of the further two grab machines at the hearing should we receive such confirmation.
- 13. In determining this matter Members shall have consideration for the following provisions;  
Chorley Council’s Statement of Gambling Policy. Attached as **Appendix 5.**

Members are reminded of the Gambling Act 2005 licensing objectives which are;

- (a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
  - (b) Ensuring that gambling is conducted in a fair and open way, and
  - (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 14. The Gambling Commissions published code of practice provides the requirements that must be complied with by the Gambling Machine Permit Holder. The document is attached at **Appendix 6.** The guidance is applicable to all licensed premises in relation to any number of gaming machines that are provided.
  - 15. Member’s attention is drawn to the committee’s discretion in determining this matter which is prescribed within Schedule 13 Section 283 of the Gambling Act 2005 which states they may:
    - a) Grant the application,
    - b) Refuse the application,
    - c) Grant it in respect of;
      - 1) A smaller number of machines than that specified in the application,
      - 2) A different category of machines from that specified in the application, or
      - 3) Both.
    - d) Members may not attach conditions to a permit.

The applicant in respect of this application has been invited to attend the hearing and make representation.

**IMPLICATIONS OF REPORT**

- 16. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

**COMMENTS OF THE MONITORING OFFICER**

- 1. Under Schedule 13 of the Gambling Act 2005 members must have regard to the licensing objectives contained in the Gambling Act 2005, national guidance issued by the Gambling Commission the latest edition of which was published in September 2015 and such other

matters as they think are relevant. It would be reasonable for members to have regard to the Council's own statement of gambling policy.

Other relevant considerations would be the location of the proposed machines so that staff could clearly see minors or problem gamblers attempting to play the machines and intervene. Also the location is a relevant consideration for fire safety.

Provisions of the Human Rights Act 1998 are relevant to the application, including but not limited to Article 1, Protocol 1 (peaceful enjoyment of possessions) and Article 6 (right to a fair hearing). In the event that the application is granted in whole or in part then under section 282 of the Gambling Act 2005 the location and operation of the machines must be in accordance with any relevant Code of Practice issued by the Gambling Commission.

The applicant has a right of appeal to the magistrates' court within 21 days of receiving notice of the decision to (i) reject the application or (ii) grant an application for a smaller number of machines than that specified in the application or a different category of machines from that specified in the application (or both)

JAMIE CARSON  
DIRECTOR OF PUBLIC PROTECTION, STREETSCENE AND COMMUNITY

There are no background papers to this report.

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
S Culleton	5665	9 October 2015	

# PopplestonAllen

RECEIVED 24 SEP 2015

CHCA07076899

First Class

Licensing Section  
Chorley Borough Council  
Civic Offices  
Union Street  
Chorley  
Lancashire  
PR7 1AL

RECEIVED 23 SEP 2015

Date: 22 September 2015

Our ref: CMI/CMI/P45466-28794  
Doc Ref: 2145193809

Your ref:

E-mail: c.miyagawa@popall.co.uk

Direct line: 0115 9349186

15/00488/GAPGMP

Dear Sirs

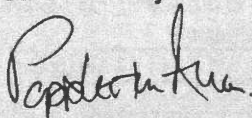
**The Highfield Restaurant, Southport Road, Ulnes Walton, Leyland**  
**LPGMP Vary**

We enclose application for variation of a Licensed Premises Gaming Machine Permit in respect of the above premises, together with our cheque for £100.00 being the requisite fee.

Should you have any queries in relation to the enclosed we should be grateful if you would kindly contact the writer on the number above.

Please acknowledge safe receipt of this letter and the relevant enclosures.

Yours faithfully


**Poppleston Allen**

Enclosures

Partners • James R D Anderson Ltd • Nick Arron Ltd • Graeme Cushion Ltd • Clare Eames Ltd • Lisa Inzani Ltd • Lisa Sharkey Ltd • Jonathan M Smith Ltd  
Associate • Andy Grimsey  
37 Stoney Street, The Lace Market, Nottingham NG1 1LS • T 0115 953 8500 • F 0115 953 8501 • W popall.co.uk • DX 10100 Nottingham  
Office also in London

Authorised and Regulated by the Solicitors Regulation Authority (SRA no. 78244)

RECEIVED 24 SEP 2015

Chorley Borough Council

**NOTIFICATION OF 2 OR LESS GAMING MACHINES OR GAMING MACHINE PERMIT APPLICATIONS** (i.e for greater than 2 machines) for: CONVERSION / NEW / VARIATION / TRANSFER

(FOR USE BY PREMISES LICENCES TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

*Please refer to guidance notices at the back of this form before completing*

<b>SECTION A – What do you want to do</b>	
1. Please indicate what you would like do	
a) Notify licensing authority that you intend to provide up to a maximum total of 2 gaming machines category C and / or D <i>(If you choose this option please complete sections D and E)</i>	<input type="checkbox"/>
b) Apply to convert an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit (ie for more than 2 gaming machines) <i>(if you choose this option then please complete sections B, D and E)</i>	<input type="checkbox"/>
c) Apply for a new licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i>	<input type="checkbox"/>
d) Apply to vary an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i>	<input checked="" type="checkbox"/>
e) Apply to transfer an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections C, D and E)</i>	<input type="checkbox"/>

<b>SECTION B – Application for grant (includes <u>conversion</u>, <u>new</u> and <u>variation</u> applications)</b>		
2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provided? (please complete the boxes in the table)		
Category machine	Number currently authorised to provide	Number wish to provide (new or variation)
C	2	2
D	1	2
TOTAL	3	4
3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided. <i>(reasons why existing permit cannot be provided)</i>		<input type="checkbox"/>
Existing permit provided *		

\* Please keep a copy of your existing permit on the premises to which it relates

Chorley Borough Council

**NOTIFICATION OF 2 OR LESS GAMING MACHINES OR GAMING MACHINE PERMIT APPLICATIONS (i.e for greater than 2 machines) for: CONVERSION / NEW / VARIATION / TRANSFER**

(FOR USE BY PREMISES LICENCES TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)  
 Please refer to guidance notices at the back of this form before completing

**SECTION C – Application for permit transfer** (ie, where a transfer has been requested for the Licensing Act 2003 premises licence)

4. Name of person requesting the transfer  
 .....

5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:

Requested	<input type="checkbox"/>
Granted	<input type="checkbox"/>

6. Please provide your existing permit, or provide reasons stating why it cannot be provided

Existing Permit provided	<input type="checkbox"/>
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Reasons why existing permit cannot be provided

**SECTION D – General Information**

7. Name of Premises: The Highfield Restaurant

8. Address of Premises: Southport Road, Ulnes Walton, Leyland, PR26 9JB

9. Telephone number of Premises: 01772 600286

10. Name of existing Premises Licence holder: Mitchells and Butlers Leisure Retail Ltd

11. Address of Premises Licence holder (if different from 8 above): 27 Fleet Street, Birmingham, B3 1JP

12. Telephone number (daytime) of Premises Licence holder: 0121 498 4000

13. E-mail address of Premises Licence holder (where available): licensing.admin@mbplc.com

14. Name, address, telephone and e-mail of agent (eg Solicitor) if submitted on behalf of the applicant:  
 Caroline Miyagawa, Poppleston Allen, 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS  
 Tel : 0115 9349186 Email : c.miyagawa@popall.co.uk

15. Licensing Act 2003 Premises Licence Reference (ie number): PLA0138

**Chorley Borough Council**  
**NOTIFICATION OF 2 OR LESS GAMING MACHINES OR GAMING MACHINE PERMIT**  
**APPLICATIONS (i.e for greater than 2 machines) for: CONVERSION / NEW / VARIATION / TRANSFER**

**(FOR USE BY PREMISES LICENCES TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)**  
*Please refer to guidance notices at the back of this form before completing*

**SECTION E – Fee and Signature(s)**

*I enclose a sum of (£100.00) (cheques should be made payable to .....)*



*I understand that I must comply with the Gaming Machine Code of Practice for Alcohol Licensed Premise Permits and Permissions issued by the Gambling Commission. (see guidance note 8)*

**Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading**

Dated: 22 September 2015

Signed (by or on behalf of Licensing Act 2003 Premises Licence holder) ..

Print Name: Poppleston Allen – Solicitors for & on behalf of the applicant

**Official Use Only**

Date of receipt .....

Signature and name of staff who received: .....

Date of receipt of fee .....

Signature and name of staff who received fee: .....

Application accepted / returned (please delete as appropriate)

Date of premises licence (Licensing Act 2003) transfer (if applicable) .....

**Chorley Borough Council**  
**NOTIFICATION OF 2 OR LESS GAMING MACHINES or**  
**GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:**  
**CONVERSION / NEW / VARIATION / TRANSFER**

**Guidance notes:**

1. This form is to be used for the notification of up to 2 gaming machines of categories C and / or D under Section 282 of the Gambling Act 2005, or for the conversion of an existing Section 34 gaming machine permit under the Gaming Act 1968, or for a new application, variation or transfer of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
2. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
3. The gaming machines must be located on these licensed premises.
4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
5. There is no statutory limit to the number of machines which may be applied for although the licensing authority has some discretion in this regard. It should also be noted that the licensing authority can cancel the permit or vary the number of machines should the premises be mainly used for making gaming machines available for use on the premises (Schedule 13 paragraph 16 Gambling Act 2005). You may therefore wish to contact the licensing authority to ask whether there is a local policy as regards applications and whether application for certain numbers of machines are decided via a hearing of local councillors.
6. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable by ..... and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50.00. There are no annual fees payable for 2 machines or less.
7. Sections 282 and 283, as well as SI 2007 / ..... of the Gambling Act 2005 provide for two types of gaming machines which can be located in alcohol licensed premises. These are:
  - a category C gaming machine has a maximum cash stake £1.00 and prize £70
  - A category D gaming machines can have different maximum stake and prizes depending on the type of machine:-
    - Where the prize is money the maximum stake 10p and cash prize £5.
    - Where the prize is not money the maximum stake is 30p and the maximum prize value is £8.
    - For mixed money and non money prize gaming machines the maximum stake is 10p and maximum prize value £8 of which £5 can be cash.
    - For crane grab machines only, which have non money prizes, maximum stake £1 and the maximum prize value £50.
    - For coin pushers or penny fall only the maximum cash stake is 10p and maximum prize value is £15 which can include up to £8 maximum of cash.
8. All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice Issued by the Gambling Commission under Section 24 of the Gambling Act 2005. The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission or your local Council licensing service.
9. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.
10. Where you are notifying the local licensing authority of 2 machines or less, you may wish to request an acknowledgement of receipt of the notification. The form attached to this application can be utilised for this purpose.

**Chorley Borough Council**  
**REQUEST FOR ACKNOWLEDGEMENT OF RECEIPT OF MY NOTIFICATION OF 2 OR**  
**LESS GAMING MACHINES**

I, Mitchells and Butlers Leisure Retail Ltd request that this paper is returned to me at the following address and with the details below provided by the local licensing authority, so as to acknowledge my notification of 2 or less gaming machines at The Highfield Restaurant, Southport Road, Ulnes Walton , Leyland, PR26 9JB

Insert address to which you wish this acknowledgement to be sent:

Poppleston Allen Solicitors  
37 Stoney Street  
The Lace Market  
Nottingham  
NG1 1LS

**Official Use Only (to be completed by the local licensing authority)**

**Date of receipt of notification of 2 or less gaming machines:** .....

**Date of receipt of fee:** .....

**Signature:** .....

**Local licensing authority stamp**



Gambling Act 2005  
Licensed Premises Gaming Machine Permit

14/01363/GAP

DETAILS OF CLUB GAMING PERMIT

This licensed premises gaming machine permit authorises

**Mitchells And Butlers Leisure Retail Limited**

to make gaming machines, of the category and number specified below, available for use on the following premises:

**The Highfield Restaurant**

**Southport Road Ulnes Walton Leyland PR26 9JB**

Number of Category C gaming machines authorised by this permit: **2**

Number of Category D gaming machines authorised by this permit: **1**

Date on which this permit takes effect:


**29/05/2015**

THIS PERMIT IS ISSUED BY

**Chorley  
Council**

Chorley Council  
PO Box 13  
Chorley  
PR7 1AR

web: [www.chorley.gov.uk](http://www.chorley.gov.uk)  
tel: 01257 515151



Director of People and Places: Jamie Carson



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Licensing Act 2003  
**Premises Licence**

**PLA0138**

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**The Highfield Restaurant**

Southport Road Ulnes Walton Leyland PR26 9JB

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Performance of Live Music
- Performance of Recorded Music
- Late Night Refreshment
- The sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and area if applicable)	Days and times
Performance of Live Music (Indoors)	Sunday 10:00 - 00:00 Monday to Wednesday 10:00 - 00:00 Thursday to Saturday 10:00 - 01:00  The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police
Performance of Recorded Music (Indoors)	Sunday 10:00 - 00:00 Monday to Wednesday 10:00 - 00:00 Thursday to Saturday 10:00 - 01:00  The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas



Licensing Act 2003  
**Premises Licence** **PLA0138**

	<p>Printed Eve, the finish time will be extended by one hour beyond these times.                  On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.</p>
Late Night Refreshment (Indoors)	<p>Sunday 23:00 - 01:00                  Monday to Wednesday 23:00 - 01:00                  Thursday to Saturday 23:00 - 02:00</p> <p>The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police.                  For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.                  On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.</p>
The sale by Retail of Alcohol (On and off the premises)	<p>Sunday 10:00 - 00:00                  Monday to Wednesday 10:00 - 01:00                  Thursday to Saturday 10:00 - 01:00</p> <p>The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police.                  For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.                  On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.</p>

**THE OPENING HOURS OF THE PREMISES**

<p>Sunday 07:00-01:00                  Monday to Wednesday 07:00-01:00                  Thursday to Saturday 07:00-02:00</p> <p>The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police                  For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.                  On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.</p>
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Licensing Act 2003  
**Premises Licence** **PLA0138**

The premises, in accordance with the converted right, may chose to open to the public at any time for non-licensable activities/purposes.

**WHERE THE LICENCE AUTHORISES THE SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

The sale by retail of alcohol for consumption both ON and OFF the premises.

Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Mitchells And Butlers Leisure Retail Ltd	27 Fleet Street Birmingham B3 1JP Email address: licensing.admin@mbplc.com Telephone number: 0121 498 4000
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**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Ms Cassandra Joan Bonser

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence Number: 05/00950/LAPERL	Issuing Authority: Lichfield District Council
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**ANNEXES**

**ANNEX 1 – MANDATORY CONDITIONS**

**MANDATORY DRINKS CODE**

No supply of alcohol may be made under the premises licence - (a) at a time when there is no designated premises supervisor in respect of the premises licence; or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

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**PLA0138**

**ALCOHOL PROMOTIONS**

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -  
 (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or  
 (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective ;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner

**DISPENSING ALCOHOL**

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

**FREE TAP WATER**

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

**AGE VERIFICATION**

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or .
- (b) an ultraviolet feature. .

**ALCOHOL MEASURES**

The responsible person shall ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: 1/2 pint;



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**PLA0138**

- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**EXHIBITION OF FILMS**

- 1a) The Premises licence holder shall ensure that the admission of children to the exhibition of any film shall be restricted in accordance with section 20 of the Licensing Act 2003(the Act)
- 1b) Unless section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the film classification board specified in this licence
- 1c) Where section 20(3) (b) of the Act applies, admission of children to the exhibition of any film must be restricted in accordance with any recommendation made by the licensing authority
- 1d) Where no film classification board is specified in this licence admission of children to the exhibition of any film shall be restricted in accordance with any recommendation made by the licensing authority.
- 1e) For the purposes of this condition:-  
 "children" means persons aged under 18; and  
 "film classification board" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984  
 (authority to determine suitability of video works for classification)

**DOOR SUPERVISORS**

The Premises licence holder shall ensure that each individual present on the premises to carry out a security activity [as defined by paragraph 2(1) (a) of the Schedule 2 to the Private Security Industry Act 2001] must be licensed by the Security Industry Authority.

**SCHEDULE Mandatory Licensing Condition**

**MINIMUM DRINKS PRICING**

- 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2. For the purposes of the condition set out in paragraph 1-  
 (a)"duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(1); .  
 (b)"permitted price" is the price found by applying the formula- .

where-

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence



Licensing Act 2003  
**Premises Licence**

**PLA0138**

- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(2).
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

**Note** – Some conditions may apply to one or more of the objectives

**General**

We have applied for an extended period between the cessation of the supply of alcohol and the closure of the premises to give us the option to allow for a more gradual dispersal of customers. The style and operation of the pub will not differ significantly during the extended hours. Where this is appropriate, nonalcoholic refreshment will be available in the extended period.

The premises will respect Orchid Group's Approach to Responsible Drinking. Our policies change at regular intervals to reflect the current trends and it would be inappropriate to standardise them on a permanent basis.

**Prevention of Crime and Disorder**

When door staff are used they will be Security Industry Authority (SIA) approved and operate in accordance with the security industry guidelines.

A zero tolerance towards illegal drugs will be enforced at all times.

If a disc jockey is used on any night then he/she will ask customers to leave quietly.

If a CCTV system is installed at this site, it will continue to operate during the additional hours of trading and notices will be displayed.

All instances of crime and disorder will be reported to the police and will be kept in an incident logbook

**Public Safety**

Public safety is integral to the way that Orchid Group runs its business and is reviewed regularly through





Licensing Act 2003  
**Premises Licence**

**PLA0138**

our health and safety policy. This policy is fully briefed and trained to all management and staff and we will continue to train our staff to the standards required by the relevant legislation.  
Free drinking water will be available at all times.

**Prevention of Public Nuisance**

Additional patrols will take place by members of staff internally and externally, to limit any noise pollution when entertainment is being offered within the premises.  
If appropriate, notices will be displayed asking our customers to respect our neighbours when leaving the premises.  
Where already used text/radio pagers will continue to be used for the additional hours of trading and will be monitored by a responsible member of staff.  
Soft drinks and non-alcoholic refreshment will be available if we decide to use the option to stay open for an extended period between the cessation of the supply of alcohol and the closure of the premises (see above under general).

**Protection of Children From Harm**

When children are allowed upon the premises, any entertainment offered within the premises will be suitable for young persons.  
Children will be required to be supervised by the accompanying adult at all times.  
A no smoking area will be provided.  
Soft drinks and non-alcoholic drinks will be available.  
A recognised proof of age policy will be enforced.

**ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

NONE

**ANNEX 4 – PLANS**

Minor Variation - Plan number HF/OG/LIC02 dated Mar 2014 refers.



Licensing Act 2003  
**Premises Licence**

**PLA0138**

Summary of Licence

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**The Highfield Restaurant**  
 Southport Road Ulnes Walton Leyland PR26 9JB

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- Performance of Live Music
- Performance of Recorded Music
- Late Night Refreshment
- The sale by Retail of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and area if applicable)	Days and times
Performance of Live Music (Indoors)	Sunday 10:00 - 00:00 Monday to Wednesday 10:00 - 00:00 Thursday to Saturday 10:00 - 01:00 The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police
Performance of Recorded Music (Indoors)	Sunday 10:00 - 00:00 Monday to Wednesday 10:00 - 00:00 Thursday to Saturday 10:00 - 01:00 The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police. For statutory bank holiday weekend periods (Friday, Saturday, Sunday



Licensing Act 2003  
**Premises Licence** **PLA0138**

and Monday) and for Thursday before Good Friday and for Christmas Part 1 - Premises Details  
 Printed Eve, the finish time will be extended by one hour beyond these times.  
 On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.

**Late Night Refreshment (Indoors)**

Sunday 23:00 - 01:00

Monday to Wednesday 23:00 - 01:00

Thursday to Saturday 23:00 - 02:00

The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police.  
 For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.  
 On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.

**The sale by Retail of Alcohol (On and off the premises)**

Sunday 10:00 - 00:00

Monday to Wednesday 10:00 - 01:00

Thursday to Saturday 10:00 - 01:00

The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police.  
 For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.  
 On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended by one hour, with fourteen days notice and agreement with the police.

**THE OPENING HOURS OF THE PREMISES**

Sunday 07:00-01:00  
 Monday to Wednesday 07:00-01:00  
 Thursday to Saturday 07:00-02:00

The finish time will be extended by one hour on St David's Day, St Patrick's Day, St George's Day and St Andrew's Day with seven days notice and agreement from the police  
 For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.  
 On occasions of local, national or international significance or for charitable events, limited to 12 per year, the finish time will be extended

Licensing Act 2003  
**Premises Licence** **PLA0138**

by one hour, with fourteen days notice and agreement with the police.  
 The premises, in accordance with the converted right, may chose to open to the public at any time for non-licensable activities/purposes.

**WHERE THE LICENCE AUTHORISES THE SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

The sale by retail of alcohol for consumption both ON and OFF the premises.

Part 2

**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

Mitchells And Butlers Leisure Retail Ltd 27 Fleet Street Birmingham B3 1JP

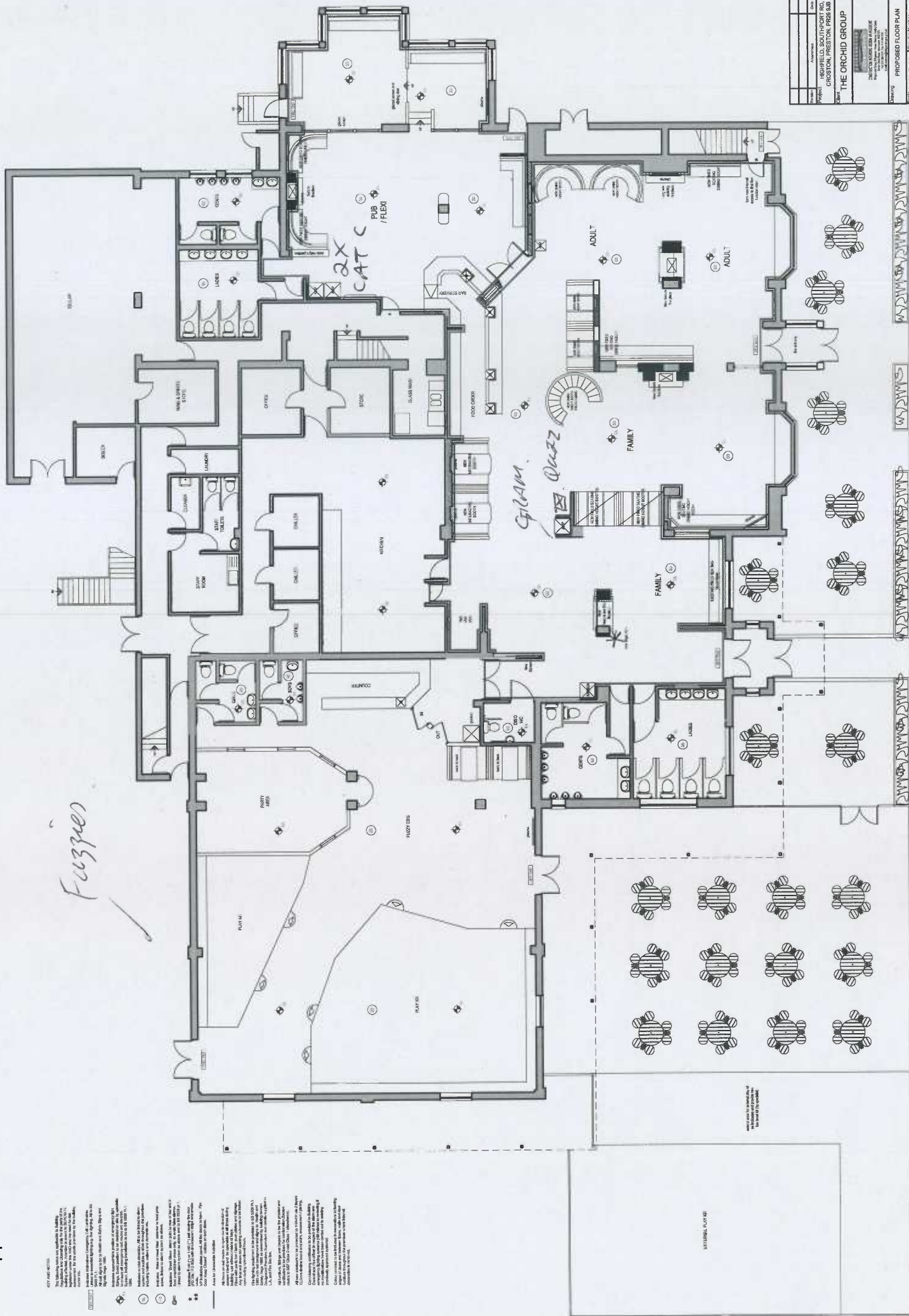
**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Ms Cassandra Joan Bonser

**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

Project	INGHFIELD, SOUTHPORT RD, CRISTON, PRESTON, P202/05
Client	THE ORCHID GROUP
Architect	THE ORCHID GROUP
Proposed Floor Plan	PROPOSED FLOOR PLAN
Scale	1:100 @ A2
Date	18th March 2014
Drawn	18/03/14
Checked	18/03/14
Approved	18/03/14



**KEY AND NOTES**

The following notes apply to the drawings. The drawings are to be used in accordance with the Building Regulations and the relevant Approved Documents. The drawings are to be used in accordance with the Building Regulations and the relevant Approved Documents. The drawings are to be used in accordance with the Building Regulations and the relevant Approved Documents.

1. All dimensions are in millimetres unless otherwise stated.

2. All dimensions are to the face of the work unless otherwise stated.

3. All dimensions are to the face of the work unless otherwise stated.

4. All dimensions are to the face of the work unless otherwise stated.

5. All dimensions are to the face of the work unless otherwise stated.

6. All dimensions are to the face of the work unless otherwise stated.

7. All dimensions are to the face of the work unless otherwise stated.

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9. All dimensions are to the face of the work unless otherwise stated.

10. All dimensions are to the face of the work unless otherwise stated.

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**OPERATING INSTRUCTIONS FOR:****Prize Zone Crane**

Fitted with the:  
**"Yellow Box Control System"**

Available from:



**Instance Automatics Ltd**  
**Highbury House**  
**Sutton Road,**  
**Huttoft,**  
**Lincs, LN13 9RH, UK.**  
**Tel: 01507 490003**  
**Fax: 01507 490006**  
**e: [ian@ilml.co.uk](mailto:ian@ilml.co.uk)**  
**w: [www.ilml.co.uk](http://www.ilml.co.uk)**

Also available In Ireland From:



**Tobyco Ltd**  
**Kilnamanagh**  
**Oulart**  
**Gorey**  
**County Wexford**  
**Ireland**  
**Tel / Fax: 353 53 368 82**  
**Mob: 353 87 686 1490**  
**e: [Tobyco@eircom.net](mailto:Tobyco@eircom.net)**

# Comestero RM5 Coin Totaliser Mech


You will find a bank of 6 DIL switches on the back of the mech.

These are used for setting the Price of Play.

The Machine should be turned off & on to Re-set the coin mech after altering the Price.

Price of Play	Sw 1	Sw 2	Sw 3	Sw 4	Sw 5	Sw 6
10p	ON	OFF	OFF	OFF	OFF	OFF
20p	OFF	ON	OFF	OFF	OFF	OFF
30p	ON	ON	OFF	OFF	OFF	OFF
40p	OFF	OFF	ON	OFF	OFF	OFF
50p	ON	OFF	ON	OFF	OFF	OFF
60p	OFF	ON	ON	OFF	OFF	OFF
70p	ON	ON	ON	OFF	OFF	OFF
80p	OFF	OFF	OFF	ON	OFF	OFF
90p	ON	OFF	OFF	ON	OFF	OFF
£1	OFF	ON	OFF	ON	OFF	OFF
£1.10	ON	ON	OFF	ON	OFF	OFF
£1.20	OFF	OFF	ON	ON	OFF	OFF
£1.30	ON	OFF	ON	ON	OFF	OFF
£1.40	OFF	ON	ON	ON	OFF	OFF
£1.50	ON	ON	ON	ON	OFF	OFF

## Motor Speed Setting

Speed	Switch 1	Switch 2	Switch 3	Switch 4	
Slowest	OFF	OFF	OFF	OFF	
	ON	OFF	OFF	OFF	
	OFF	ON	OFF	OFF	
	ON	ON	OFF	OFF	
	OFF	OFF	ON	OFF	
	ON	OFF	ON	OFF	
	OFF	ON	ON	OFF	
	ON	ON	ON	OFF	
	OFF	OFF	OFF	ON	
	Fastest	ON	OFF	OFF	ON



# New Yellow Box Control System

## Breakdown of Adjustments.

- 1 **Motor speed:** The speed of the gantry motors can be increased or decreased by adjusting the dip switches as desired `0` = slowest, `9` = fastest, this alters the speed of the gantry when the player is moving the gantry around & the return speed of the gantry after it has grabbed the toy.
- 2 **Free Credit Button:** This allows the operator to activate a game without incrementing the meters.
- 3 **Credit Cancel Button:** This allows the operator to clear all remaining credits.
- 4 **Attract Music Switch:** This allows the operator to select if they want the attract music on or off. (the attract music plays every 10 minutes).
- 5 **Prize Every Time/ Std Play Switch:** This allows the operator to select the type of game played.  
If switched to Prize Every Time, the credit will remain until the prize sensor detects a prize out & then the credit will be deducted ( we have set in the software a maximum of 25 attempts to win the prize per credit, if you require a no limit type you can contact us & we will generate you a different software set).  
If the unit is switched to Std play, the game will finish when the gantry gets back to the home position (usually if set to Std play a percentage payout system will be required, if you require this system it can be purchased from our spares department).
- 6 **Consolation Prize Switch:** this feature can only be used if a consolation prize hopper is fitted, the benefit of this feature is that if the unit is set to Std Play, if the player does not win the main prize from the machine, the operator can set the unit to give a small prize I.E. a bouncy ball or capsule. There are 3 settings for this feature,  
After = The consolation prize will be paid after the game (unless the main prize is won then the consolation prize will be cancelled).  
Before = The consolation prize will be given before the game starts.  
None = The consolation prize is switched off.
- 7 **Volume control:** adjust this to suit your location.
- 8 **Credit meter:** this counter counts the amount of games played, if you multiply this by the Price of Play you will achieve the total cash takings.
- 9 **Prizes meter:** This counter displays the amount of prizes won from the machine.
- 10 **Percentage control dummy grey plug:** this is the port where the Supergrab Handset will plug into the main CPU, to activate the percentage control simply, switch the machine to std play, unplug the grey dummy plug & plug the lead from the supergrab handset into the yellow box. this handset is not fitted as standard. the next page in this manual gives the operator a breakdown of how to set up the handset for full percentage control. if you require any further information on this product please contact our spares department on 01507 490003.
- 11 **Price of Play:** There is a bank of DIL switches located on the coin mech with a sticker for various price of play options. (See last Page)
- 12 **Fuses:** There are 3 fuses on this machine, the first (mains protection 5A quick blow) is located on the mains inlet on the back of the machine, the second & the third fuses (both 5A Quick Blow) are inside the main Yellow CPU, these cover the grab circuit & motor drive circuit. There is also an on / off switch on the Yellow PSU.

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# GAMBLING COMMISSION

## Non-complex cat D gaming machines

August 2015

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### Classification of crane machines

We have recently been working with the trade body BACTA and machine suppliers in order to reinforce the message that certain types of machine currently operated as skills with prizes (SWPs), with a maximum stake of £1 and £50 **non-monetary** prize, **should be correctly labelled as category D non-complex crane grab machines.**

In some cases premises licences or permits may be needed in order to site these machines and some unlicensed operators will have to apply for an operator's licence.

Whilst the majority of machines of this nature are operated as cranes within adult gaming and family entertainment centres under the category D stake and prize limits, there has been a recent trend whereby they are being offered to the public, particularly children, purporting to be a skill machine as opposed to a gaming machine without the necessary permissions to do so. This occurs in pubs, shopping centres, motorway service stations and other similar venues.

Furthermore, as stated in the October 2014 LA bulletin, machines which are *capable of being used as a gaming machine*, whether or not they are currently operating as a gaming machine, are classified as a gaming machine. For example, a machine fitted with a compensator, which allows it to be converted from a skill machine to a gaming machine, is classified under the Gambling Act 2005 (s 235) as a gaming machine.

Machines utilising a mechanical arm, or similar device to select a prize and which employ a compensator unit to determine the percentage pay-out of the machine, need to be clearly marked as a gaming machine (skill and chance combined). In addition they may only be operated in premises where the necessary permissions are in force.

There are no statutory limits in place regulating stakes and prizes for SWPs. However the Commission and HMRC are of the view that it is unlikely that a maximum prize greater than £50 would be commercially viable in a genuine skill game. In fact, a voluntary limit had previously been agreed between machine manufacturers and trade bodies, limiting the price of one game to £1 and the maximum prize to £50 (wholesale value). See the quick guide on SWPs for more info.

### Timetable

We have set out a timetable by which those wishing to make such machines available to the public should obtain the necessary permissions and where required adjust the stake and/or prizes available accordingly.

- Where a **new permit or a variation** to an existing permit is required from the local licensing authority as a result of this clarification, then the process must be underway **by 31 August 2015** and the **permit or premises licence** must be granted and in place by **31 December 2015**.
- Similarly, an operator, that is currently supplying or maintaining these types of machine on the assumption they were SWPs, must apply for an operator's licence by

31 August 2015. (Check the licence register of those who hold or have applied for an operators' licence).

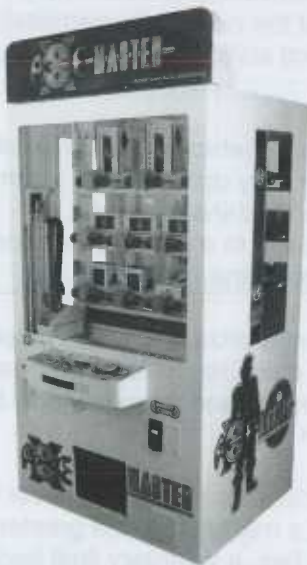
- Where there is no possibility that the permission will be granted the machine(s) should be removed from site immediately.

#### Communication

- BACTA has written to its members, as well as produced various articles for Coinslot and other industry publications.
- Machine suppliers Namco and Sega have also written to those operators who have purchased crane machines from them.
- We have advised LAs of the change through the July 2015 LA bulletin.
- LAs may wish to seek written reassurance from those entities siting machines that they comply with the regulatory requirements.

#### Examples of crane-type machines

The more popular crane-type machines which should be treated and labelled as category D gaming machines are as follows (although please note this is not an exhaustive list and we will add to it as we become aware of more machines. Also these machines may appear with different fascias or branding):



**Sega Axe Master**



**Sega Key Master**



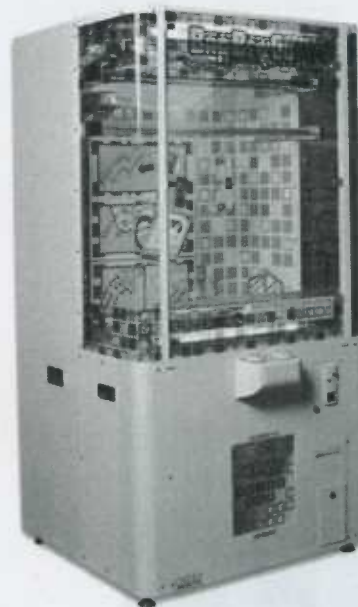
**Sega Key Master Mini Black**



**Sega Key Master Giant**



**Namco UFO Catcher**  
Comes with various branding



**Namco Barber Cut Lite**



**Namco Barber Cut (2 Player)**



**Namco Drop the Hook**  
Could be branded Jellybean or Powerhouse



**Namco Dunk Tank Prize (1 Player)**



**Namco Dunk Tank Prize (2 Player)**



**Namco Winners Cube**



**Namco Winners Cube DX**



**Namco Kandy Cuts**

**Machine technical standards**

Where a machine determines whether a player has an opportunity to win a prize partly by chance (using a compensator or control system to control the payout) but also by a player using a degree of skill to ultimately win the prize, the machine would be considered a game of chance and skill combined.

This is captured by section 6(2)(a) of the Gambling Act 2005 as a game of chance and will therefore be defined as a gaming machine.

The definition of category D non-complex crane machines in our *Technical Standards* will be amended to exactly replicate the definition of crane in *The Categories of Gaming Machine (Amendment) Regulations 2009 (No 1502)*:

A crane grab machine is a reference to a non-money prize machine in respect of which-

- (i) every prize which can be won as a result of using the machine consists of an individual physical object (such as a stuffed toy), and
- (ii) whether or not a person using the machine wins a prize is determined by the person's success or failure in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.

In general, the only requirement needed to make existing crane grab machines compliant with the regulation and our technical standards would be to include a display notice on the machine stating that it is a category D gaming machine with the proviso that the stake/prize does not exceed the statutory limits of £1/£50 respectively and that prizes are totally non-monetary.

Should the industry attempt to exploit the situation in a manner deemed undesirable or outside the spirit of that intended then we may review our position in this matter.

**Gambling Commission August 2015**

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## Keeping gambling fair and safe for all

For further information or to register your interest in the Commission please visit our website at: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Copies of this document are available in alternative formats on request.

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP

T 0121 230 6666  
F 0121 230 6720  
E [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

INFO 15/22



# GAMBLING COMMISSION

## Gaming Machine Permits Code of Practice

- Club Gaming Permits and Club Machine Permits
- Alcohol Licensed Premises Permits and Permissions and automatic entitlements

June 2007

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### Introduction

- This is the Gambling Commission's Code of Practice issued under section 24 Gambling Act 2005 (the Act) relating to provision of facilities for gambling in accordance with club gaming, club machine and licensed premises gaming machine permits. This includes:
  - registrations under Parts II and III Gaming Act 1968 which, under transitional provisions, are treated as club gaming and club machine permits respectively; and
  - alcohol licensed premises gaming machine permits (formerly s34 1968 Act permits).
- The Code will come into force on 1 September 2007.
- Those items marked in bold and shaded are the provisions which are a condition of the permit and must be complied with.

### Section A: Location and operation of machines

All permit holders

**Compliance with these provisions is a condition of your permit, and failure to do so could result in revocation of the permit.<sup>1</sup>**

- All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.**

**Permit holders must have in place arrangements for such supervision.**

- All gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use any ATM made available on the premises to cease gambling at the gaming machine in order to do so. 'ATM' means a machine located on the premises, which enables a person using it to obtain cash by use of a credit or debit card.**

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<sup>1</sup> Compliance with these provisions is a condition of the relevant permit as a result of the Gambling Act 2005: section 271 for Club Gaming Permits, section 273 for Club Machine Permits, section 282 for alcohol licensed premises using their automatic machine permissions and section 283 for licensed premises Gaming Machine Permits and alcohol licensed premises Gaming Machine Permits.

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## Section B: Access to gambling by children and young persons

All permit holders

**This section sets out the best practice which the Gambling Commission considers should be implemented by permit-holders, compliance with this provision is not a condition of your permit.**

- 3 Permit holders should put into effect procedures intended to prevent underage gambling. This should include procedures for:
  - checking the age of apparently underage customers; and
  - refusing access to anyone who appears to be underage, and who tries to use category B or C gaming machines and cannot produce an acceptable form of identification.
- 4 Permit holders should take all reasonable steps to ensure that all relevant employees understand their responsibilities for preventing underage gambling.
- 5 Permit holders should only accept identification which:
  - contains a photograph from which the individual can be identified;
  - is valid; and
  - is legible and has no visible signs of tampering or reproduction.

*(The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); driving licence (including a provisional licence) with photocard; and passport).*

- 6 Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on category B or C machines, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

## Section C: Self exclusion

**This section sets out the best practice which the Gambling Commission considers should be implemented by permit-holders, compliance with this provision is not a condition of your permit.**

Club gaming permit and club machine permit holders only

- 7 Permit holders should put in place procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 8 Permit holders should implement procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling; this includes:
  - a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - photo identification (where available and in particular where enforcement of the system may depend on photographic ID), and a signature;
  - staff training to ensure that relevant staff are able to enforce the systems; and
  - the removal of those self-excluded persons found in the gambling area or

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attempting to gamble from the premises.

- 9** Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
- 10** Before an individual self-excludes, permit holders should provide or make available sufficient information about what the consequences of self-exclusion are. Customers should be given the opportunity to discuss self-exclusion in private, where possible.
- 11** Permit holders should take all reasonable steps to ensure that:
- the self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years;
  - a customer who has decided to enter a self-exclusion agreement is given the opportunity to so do immediately without any cooling off period. However, if the customer wishes to consider the self exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self exclusion;
  - at the end of the period chosen by the customer (and at least six months later), maintain the self-exclusion in place, unless the customer takes positive action in order to gamble again. No marketing material may be sent to the individual unless that has taken positive action in order to gamble again, and has agreed to accept such material; and
  - where a customer chooses not to renew, and makes a positive request to begin gambling again, give the customer 1 day to cool off before being allowed access to the gambling facilities.
- 12** Please note that the Commission does not require the permit-holder to carry out an assessment or make any judgement of whether the individual should have access to gambling. The requirement to take positive action in person or over the phone is purely to:
- a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and
  - b) implement the 1 day cooling-off period and explain why this has been put in place.

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The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling, by ensuring that gambling is conducted fairly and openly, and by protecting children and vulnerable people from being harmed or exploited by gambling. The Commission also provides independent advice to government on gambling in Britain.

For further information or to register your interest in the Commission please visit our website at:  
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