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Part A - Introduction			
p4 1.5	Our consultation took place between 10 August 2009 and 30 October 2009 and we followed the HM Government Code of Practice on consultation (published July 2008) which is available at: http://www.berr.gov.uk/files/file47158.pdf The full list of comments made and the consideration by the Council of those comments is available by request to: Licensing Team, Stevenage Borough Council, Daneshill House, Danestrete, Stevenage, SG1 1HN or via the Council's website at www.stevenage.gov.uk	p4 1.6	Our consultation took place between 1st September 2006 and 24th November 2006 date and we followed the Revised Code of Practice (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/code/index.asp http://www.cabinetoffice.gov.uk/regulation/consultation/documents/pdf/code.pdf
p7 5.2	Each case will be decided upon its own merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.11 and 8.19. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.	p7 5.2	Each case will be decided upon its own merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.14 and 8.15. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
NA		p7 5.3	The Gambling Commission recommended in its Guidance that the licensing authority state that interested parties include trade associations and trade unions, and residents' and tenants' associations (Gambling Commission Guidance for local authorities 8.17). It is understood that the Gambling Commission has subsequently stated that this is a mistake in its Guidance which will be rectified and noted on its website. However, this authority emphasises that it will not generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
p8 6.3	Should any protocols be established as regards information exchange with other bodies then they will be made available.	p9 6.3	Should any protocols be established as regards information exchange with other bodies then they will be made available. Discussions with the Gambling Commission and LACORS as regards information exchange between the Commission and local authorities are, at the time of writing, at an early stage.
p9 7.3	This licensing authority has adopted and implemented a risk-based inspection programme, based on; <ul style="list-style-type: none"> • - The licensing objectives • - Relevant codes of practice • - Guidance issued by the Gambling Commission, in particular at Part 36 • - The principles set out in this statement of licensing policy 	p9 7.3	This licensing authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme. Whilst the Gambling Commission's Guidance suggests that the criteria the authority will utilise in this respect are included in this statement, this has not been possible. At the time of writing the Gambling Commission has not published its risk criteria, nor are regulations such as mandatory/default conditions published, nor Codes of Practice. LACORS is working with the Gambling Commission to produce a risk model for premises licences and this authority will consider that model once it is made available.
NA		10 8.3	The Gambling Commission has recommended that licensing authorities include a list of licensable activities in their policy statements. LACORS has requested a definitive list from the Gambling Commission and this will be incorporated into this policy statement once provided.
Part B - Premises Licences			
p11 3.1	Premises is defined in the Act as "any place". Section 152 therefore prevents more than one premises licence applying to any place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.	p11 2.1	Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
p12 3.2	The Gambling Commission states in the third edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."	NA	
p12 3.4.1	<ul style="list-style-type: none"> • The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating. • Customers should be able to participate in the activities named on the premises licence. 	NA	

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p12/13 3.5	<p>The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:</p> <ul style="list-style-type: none"> • Do the premises have a separate registration for business rates? • Is the premises' neighbouring premises owned by the same person or someone else? • Can each of the premises be accessed from the street or a public passageway? • Can the premises only be accessed from any other gambling premises? <p>This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.</p>		NA
p13 3.6	<p>The Gambling Commission's relevant access provisions for each premises type are reproduced below:</p> <p>3.6.1 (para. 7.25) Casinos</p> <ul style="list-style-type: none"> • The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance) • No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons • No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence <p>3.6.2 Adult Gaming Centre</p> <ul style="list-style-type: none"> • No customer must be able to access the premises directly from any other licensed gambling premises <p>3.6.3 Betting Shops</p> <ul style="list-style-type: none"> • Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence • No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed. <p>3.6.4 Tracks</p> <ul style="list-style-type: none"> • No customer should be able to access the premises directly from: <ul style="list-style-type: none"> - a casino - an adult gaming centre <p>3.6.5 Bingo Premises</p> <ul style="list-style-type: none"> • No customer must be able to access the premises directly from: <ul style="list-style-type: none"> - a casino - an adult gaming centre - a betting premises, other than a track <p>3.6.6 Family Entertainment Centre</p> <ul style="list-style-type: none"> • No customer must be able to access the premises directly from: <ul style="list-style-type: none"> - a casino - an adult gaming centre - a betting premises, other than a track <p>Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.</p>		NA
Part B - Premises ready for Gambling			
p14 4	<p>Premises "ready for gambling"</p> <p>The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.</p> <p>4.1 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a <u>provisional statement</u> should be made instead.</p> <p>4.2 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:</p> <ul style="list-style-type: none"> • First, whether the premises ought to be permitted to be used for gambling • Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place. <p>4.3 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.</p> <p>4.4 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.59-7.66 of the Guidance.</p> <p>4.5</p>		NA

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Part B - Planning			
p 14/15	6 Planning 6.1 The Gambling Commission Guidance to Licensing Authorities states: (para. 7.59) – In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.		
	6.2 This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance: (para. 7.66) - When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.		NA
Part B - Duplication with other regulatory regimes			
p15	Duplication with other regulatory regimes This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise		NA
p15	7.2 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence		NA
	NA	p13	4 Duplication with other regulatory regimes This licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
Part B - Licensing Objectives			
p16 8.1	Licensing Objective 1 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.	p13 6	Licensing Objective 1 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.
p16 8.2	Licensing Objective 2 - Ensuring that gambling is conducted in a fair and open way This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.	p13 7	Licensing Objective 2 - Ensuring that gambling is conducted in a fair and open way This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 19
p17 8.3.3	This licensing authority will consider this licensing objective on a case-by-case basis.	p14 8.4	This licensing authority will consider this licensing objective on a case-by-case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

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Part B - Door Supervisors			
p18 10.1	The Gambling Commission advises in its Guidance for licensing authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require entrances to the premises are controlled by a door supervisors in order to protect of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. The licensing authority is entitled, under those circumstances, to impose a premises licence condition to this effect.	p16 10.1	The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.
p18 10.2	Where operators and licensing authorities decide that supervision of entrances/machines is appropriate for particular cases it will need to be decided whether these supervisors need to be SIA licensed or not. It will not be automatically assumed that they need to be, as the statutory requirements for different types of premises vary (as per Guidance, Part 33)	p16 10.2	<u>Where</u> operators and licensing authorities decide that supervision of entrances/machines is appropriate for particular cases it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.
Part B - Adult Gaming Centres			
p19 11.2	This licensing authority may consider measures to meet the licensing objectives such as:	p16 11.2	This licensing authority <u>may consider</u> measures to meet the licensing objectives such as:
Part B - Licensed Family Entertainment Centres			
p19 12.2	This licensing authority may consider measures to meet the licensing objectives such as:	p16 12.2	This licensing authority <u>may consider</u> measures to meet the licensing objectives such as:
Part B - Casinos			
	NA	p17 13.2	<i>Casinos and competitive bidding</i> - This licensing authority is aware that where a licensing authority area is enabled to grant a premises licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations/codes of practice issued under the Gambling Act 2005.
Part B - Bingo Premises			
p20 14.2	(paragraph 18.4) Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.	p18 14.2	14.2 This licensing authority is also aware that the Gambling Commission <u>has stated that it</u> is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.
p20 14.3	This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.		NA
p20 14.4	(paragraph 18.7) Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.		NA
Part B - Tracks			
p21 16.4	This licensing authority may consider measures to meet the licensing objectives such as:	p19 16.4	This licensing authority <u>may consider</u> measures to meet the licensing objectives such as:
p21 16.5	<i>Gaming machines</i> -Where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.	p20 16.5	<i>Gaming machines</i> -Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are locate in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.
p21 16.6	<i>Betting machines</i> - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.	p20 16.6	<i>Betting machines</i> - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.
p22 16.7	<i>Applications and plans</i> - The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.28).		NA
p22 16.8	Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, para 20.29).		NA

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p22 16.9	Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to Licensing Authorities, para 20.31).		NA
p22 16.10	In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined. (See Guidance to Licensing Authorities, para 20.32).		NA
p22 16.11	This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.33).		NA
Part B - Provisional Statements			
p23 18.1	Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.	p21 18.1	This licensing authority notes the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully".
p23 18.2	S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she: - expects to be constructed; - expects to be altered; or - expects to acquire a right to occupy.	p21 18.2 (a) (b)	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 is in the authority's opinion reflect a change in the operator's circumstances. This authority has noted the Gambling Commission's guidance that: <i>"A licensing authority should not take into account irrelevant matters. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."</i>
p23 18.3	The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.		NA
p23 18.4	In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.		NA
p23 18.5	The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:		NA
p23 18.5 last BP	• where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.		NA

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Part B - Reviews			
	NA	p22 19.1	Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review. <ul style="list-style-type: none"> • In accordance with any relevant code of practice issued by the Gambling Commission; • In accordance with any relevant guidance issued by the Gambling Commission; • Reasonably consistent with the licensing objectives; and • In accordance with the authority's statement of licensing policy. The licensing authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.
p24 19.2	Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.		NA
p24 19.3	The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.		NA
p24 19.4	The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:- <ul style="list-style-type: none"> • add, remove or amend a licence condition imposed by the licensing authority; • exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion; • suspend the premises licence for a period not exceeding three months; and • revoke the premises licence. 		NA
p24 19.5	In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.		NA
p24 19.6	In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.		NA
p25 19.7	Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to: <ul style="list-style-type: none"> • the licence holder • the applicant for review (if any) • the Commission • any person who made representations • the chief officer of police or chief constable; and • Her Majesty's Commissioners for Revenue and Customs 		NA
Part C - (Alcohol) Licensed premises gaming machine permits (Schedule 13 paragraph 4(1))			
p29 2.6	Notifications and applications for any number of machines will be dealt with by licensing authority officers.	p26 2.6	Notifications and applications for two or three machines will generally be dealt with by licensing authority officers. Those for four or five machines will be determined by officers in consultation with the Chair of the Licensing (Licensing Act 2003) Committee, and applications for five or more machines will be referred to a Licensing sub-Committee of councillors.
Part C - Temporary Use Notices			
p32 5.1	Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according the Gambling Commission, would include hotels, conference centres and sporting venues.		There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that <i>"The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."</i>
p32 5.2	The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.		NA
p32 5.3	The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.		NA
p32 5.5	This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.		NA