Statement of policy
Gambling Act 2005
2019 to 2021

Revised January 2019
# Statement of policy Under Section 349 of the Gambling Act 2005

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This Statement of Policy was approved by Salford City Council on xxxx/2019.

All references to the Guidance refer to the Gambling Commission’s Guidance to Licensing Authorities 5th edition, published September 2015
Executive Summary


Under Section 349 of the Gambling Act 2005 the Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.


The purpose of the Statement of Licensing Policy is to set out the principles that the Authority propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

Any decision taken by the Authority in regard to determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives which are:

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

The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises, tracks and travelling fairs.

The Authority has the ability to issue permits for prize gaming and unlicensed family entertainment centres. The Authority is able to specify the information it requires as part of the application process which will aid determination and this information is described in this Policy.

Club gaming and club machine permits are also issued by the Authority. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.

Enforcement of the legislation is a requirement of the Act that is undertaken by the Authority in conjunction with the Gambling Commission. The policy describes the Authority’s enforcement principles and the principles underpinning the right of review.

The policy has three appendices, describing the stakes and prizes which determine the category of a gaming machine, a glossary of terms and exempt gaming in pubs and clubs.
Part A-Statement of Policy

1. The Licensing Objectives

1.1. Under the Gambling Act 2005 (the Act) Salford City Council is the Authority for the Salford district and licences premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the Authority and the council are to the Salford’s Licensing Authority.

1.2. The Authority will carry out its functions under the Act with a view to aiming to permit the use of premises for gambling in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act. The licensing objectives are:

• preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
• ensuring that gambling is conducted in a fair and open way
• protecting children and other vulnerable persons from being harmed or exploited by gambling

1.3. More information can be found about how the Authority will achieve this in Part B and C of this document.

1.4. The Authority will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.

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

• In accordance with any relevant code of practice issued by the Gambling Commission
• In accordance with any relevant guidance issued by the Gambling Commission
• Reasonably consistent with the licensing objectives, and
• In accordance with the authority’s statement of licensing policy

1.6. The Gambling Commission’s Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration their local information. Specific information about localities is provided in this policy at Section 14.
2. **Salford District**

2.1. Salford is one of ten metropolitan districts in Greater Manchester. The City of Salford covers 37 square miles and consists of the districts of Eccles, Irlam, Cadishead, Salford, Swinton, Pendlebury and Worsley. Salford has a population of around 248,000.

2.2. Salford has 60% green space, 18 square miles of countryside and parks, six waterways, 30 miles of river and canals, 112 ponds and lakes, 14 waterway bridges, Britain’s largest inland waterway, and a world class arts and theatre complex, namely The Lowry which attracts over 1,000,000 visitors a year. Major development around Media City continues to attract new businesses and thousands of visitors each year.

2.3. Licensing Authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

3. **Integration with other guidance, policies, objectives and strategies**

3.1. Mapping GM (https://mappinggm.org.uk/), the People and Communities map, is designed to provide information about the people and places of Greater Manchester. It brings together a range of socio-economic and socio-demographic data with information on the public services and social amenities within area.

3.2. The aim of the map is to provide the gambling businesses with relevant and important contextual information about an area. This includes, but is not limited to, the provision of services such as post offices, GP surgeries, dentists and hospitals; the availability of social amenities and leisure facilities; and key socio-economic information, such as the typology of local residents.

3.3. Salford City’s poverty strategy ‘No One Left Behind’ states Salford’s commitment to tackling poverty and inequality and sets out the approach to be taken over the next few years to give residents a poverty free future https://www.salford.gov.uk/media/390192/no-one-left-behind-tackling-poverty-in-salford.pdf.

3.4. The Authority has a vision is to create 'A better and fairer Salford for all.' To help us achieve this vision we have identified some key priorities to tackle the problems people in Salford are currently facing, called “the Great Eight”. The first of these is Tackling poverty and inequality as significant levels of poverty continue to exist in many parts of Salford. Working with our partners, the Authority will take action to make things better for the many households struggling to make ends meet. We will also look to prevent people from falling into poverty in the first place, building on what we know is already working, as well as developing new ways of doing things.(https://www.salford.gov.uk/your-council/council-and-decision-making/how-the-council-is-performing/our-priorities-the-great-eight/ )

3.5. The Salford Locality Plan: sets out specific programmes and objectives which are in place to deliver against that vision, using a life course approach (Starting Well, Living Well, and Aging Well). It also reflects the need to tackle the demographic, financial and clinical
challenges facing the city.
http://www.salfordccg.nhs.uk/download.cfm?doc=docm93jjim4n6855.pdf&ver=7581

3.6. Greater Manchester Strategy, particularly in regard to the priority around Safe and Strong Communities. The plan explains the Combined Authorities’ ambitions for the future of our city-region and the 2.8 million of us who live in the towns, cities, communities and neighbourhoods that make up Greater Manchester. It covers health, wellbeing, work and jobs, housing, transport, skills, training and economic growth.
https://www.greatermanchester-ca.gov.uk/ourpeopleourplace

3.7. This policy contributes to all these outcomes and also a number of the priorities within these plans, including:

- Ensuring that the most vulnerable are protected
- Improving social, emotional, and mental health and wellbeing
- Supporting young people to make good choices and minimise risk-taking behaviours


4.1. Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published at least every three years. The statement will also be reviewed from “time to time” and any amendments will be consulted upon. The statement will then be re-published.

4.2. Salford City Council will consult widely on this policy statement before finalising and publishing it. The Gambling Act requires that the following parties be consulted by Licensing Authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.

4.3. The policy is presented for public consultation on the website, and by email and post to councillors, licensees, support organisations, responsible authorities, MPs and trade associations.


5 The Licensing framework

5.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.

5.2 The Gambling Commission issues operators licences and personal licences. Any operator wishing to provide gambling at a certain premises must have applied for the requisite
personal licence and operator licence before they can approach the Authority for a premises licence. In this way the Gambling Commission is able to screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The Authority’s role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The Authority also issues various permits and notices to regulate smaller scale and or ad hoc gambling in various other locations such as pubs, clubs and hotels.

5.3 The Authority does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.

6 Declaration

6.1 It should be noted that this statement of policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits, subject to the proviso that there is a discretion to do so, and according to the statutory requirements of the Gambling Act 2005.

6.2 In producing the final statement, this Authority will have regard to the licensing objectives of the Gambling Act 2005, the Guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

7 Responsible Authorities

7.1 The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities are able to make representations about licence applications, or apply for a review of an existing licence. Responsible authorities will also offer advice and guidance to applicants.

7.2 The Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the Authority’s area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

7.3 In accordance with the suggestion in the Gambling Commission’s Guidance to Licensing Authorities, this authority designates the Local Safeguarding Children Board for this purpose. The details of all the Responsible Authorities under the Gambling Act 2005 are available at Appendix 2, and via the Authority’s website at www.salford.gov.uk

8 Interested parties

8.1 Interested parties are certain types of people or organisations that have the right to make representations about licence applications, or apply for a review of an existing licence.
Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Act as follows:

For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Authority which issues the licence or to which the application is made, the person-

a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,

b) business interests that might be affected by the authorised activities, or

c) represents persons who satisfy paragraph (a) or (b)

8.2 The Authority is required by regulations to state the principles it will apply in exercising its powers under the determine whether a person is an interested party. The principles are:

• Each case will be decided upon its 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.
• Within this framework the Authority will accept representations made on behalf of residents and tenants associations.
• In order to determine if an interested party lives or has business interests, sufficiently close to the premises to be likely to be affected by the gambling activities, the Authority will consider factors such as the size of the premises and the nature of the activities taking place. 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.
• If in the particular circumstances of the application the Authority departs from the Guidance it will explain its reasons for doing so.

Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor or MP represents the ward likely to be affected. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

8.3 If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Panel dealing with the licence application. If there are any doubts then please contact the licensing section.

9 Exchange of Information

9.1 Licensing Authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

9.2 The principle that this Authority applies is that it will act in accordance with the provisions
of the Gambling Act 2005 in its exchange of information which includes the provision that the Freedom of Information Act 2000 and the Data Protection Act 1998 will not be contravened. The Authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

9.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

10 Authority functions

10.1 Licensing Authorities are required under the Act to carry out the following functions:

- licensing of premises where gambling activities are to take place by issuing Premises Licences
- issuing Provisional Statements
- regulating members’ clubs and miners’ welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issuing Club Machine Permits to Commercial Clubs
- granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- receiving notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issuing Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- registering small society lotteries below prescribed thresholds
- issuing Prize Gaming Permits
- receiving and Endorse Temporary Use Notices
- receiving Occasional Use Notices
- providing information to the Gambling Commission regarding details of licences issued (see section above on ‘Exchange of Information’)
- maintaining registers of the permits and licences that are issued under these functions

10.2 These functions will be carried out in accordance with a Scheme of Delegation. Details are available on the website www.salford.gov.uk

10.3 It should be noted that the Authority will not be involved in licensing remote gambling or the determination of applications for operators’ or personal licences. These fall to the Gambling Commission.
Part B - Promotion of the licensing objectives

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

11.1 This Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime by vetting all applicants for personal and operator licences. The Gambling Commission’s Guidance does however envisage that the Authority should pay attention to the proposed location of gambling premises (see paragraphs 14.8 to 14.11) 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 (see paragraph 14.38).

11.2 This 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.

11.3 Issues of nuisance cannot be addressed by the Gambling Act provisions however problems of this nature can be addressed through other legislation as appropriate.

11.4 Examples of the specific steps the Authority may take to address this area can be found in the various sections covering specific premises types in Part C of this policy and also in Part D which covers permits and notices.

12 Ensuring that gambling is conducted in a fair and open way

12.1 This Authority has noted that the Gambling Commission states 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.

12.2 However this Authority will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other matters as set out in the Gambling Commission’s Licence Conditions and Code of Practice.

12.3 Examples of the specific steps this Authority may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

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

13.1 This Authority has noted the Gambling Commission's Guidance to Licensing Authorities which states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at, or are, particularly attractive to children). The Authority will therefore consider, as suggested in the Gambling Commission’s Guidance, whether specific measures are required at
particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances, machines, segregation of areas etc.

13.2 This Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

13.3 As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to for example mental health, a learning disability, or substance misuse relating to alcohol or drugs.” Recent research has reported that the problem gambling rate among armed forces and veterans is over four times as high as the rate reported in civilian populations in the United Kingdom.

13.4 Applicants must consider the following proposed measures for protecting and supporting vulnerable people, for example:

• leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
• training for staff members which focuses on building an employee’s ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect people who may be vulnerable (see 14.18).
• trained personnel for the purpose of identifying and providing support to vulnerable people
• self exclusion schemes
• operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
• posters with GamCare Helpline and website in prominent locations
• windows, entrances and advertisements to be positioned or designed not to entice children or vulnerable people.

It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.

13.5 This Authority will consider this licensing objective on a case by case basis and may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.
Part C - Premises licences

14 General Requirements

14.1 The Authority will issue premises licences to allow those premises to be used for certain types of gambling. For example premises licences will be issued to amusement arcades, bingo halls, bookmakers and casinos.

14.2 Premises licences are subject to the requirements set out in the Gambling Act 2005, Gambling Commission (GC) Licence Conditions and Codes of Practice (LCCP) and Gambling Commission Guidance and Regulations. There are specific mandatory and default conditions which are detailed in Regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is believed to be necessary and proportionate. Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each interest area for which they must have regard. This Authority in making decisions about premises licences will aim to permit the use of premises for gambling in so far as it thinks it is

• in accordance with any relevant code of practice issued by the Gambling Commission;
• in accordance with any relevant guidance issued by the Gambling Commission;
• reasonably consistent with the licensing objectives; and
• in accordance with the authority’s statement of licensing policy.

14.3 It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for an Authority.

14.4 Definition of “premises” - Premises is defined in the Act as including “any place”. Section 152 therefore prevents more than one premises licence applying to any place. Different premises licences cannot apply in respect of a single premise 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. However, the Authority will 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.

14.5 The Gambling Commission states in the fifth 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."

14.6 This Authority takes particular note of the Gambling Commission’s guidance to Licensing Authorities which states that: licensing authorities should take particular care in
considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area. The plan of the premises should clearly denote entrances and exits.

14.7 The guidance also gives a list of factors which the Authority should be aware of, which may include:

- is a separate registration for business rates in place for the premises?
- is the premises’ neighbouring premises owned by the same person or someone else?
- can each of the premises be accessed from the street or a public passageway?
- can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

This Authority also takes particular note of the gambling commission’s guidance on access provisions for each premises type.

**Premises “ready for gambling”**

14.8 The guidance states that a licence to use premises for gambling should only be issued in relation to premises that the 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.

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

14.10 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:-

- 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.

14.11 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.

**Location**

14.12 This Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission’s Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
With regards to these objectives it is the Authority’s policy, upon receipt of any relevant representations, to look at specific location and operational issues including:

- the possible impact a gambling premises may have on any premises that provide services to children or young people, for example a school, or vulnerable adult centres in the area
- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
- the size of the premises and the nature of the activities taking place
- how the operation or proposed operation will mitigate any foreseeable risks
- any levels of organised crime in the area.

In order for location to be considered, the Authority will need to be satisfied that there is sufficient evidence that the particular location of the premises would not be harmful to the licensing objectives.

Although the Authority cannot consider if there is a need or demand for the gambling facilities applied for, applicants should consider the proximity of other gambling premises in the Local Risk Assessment and the impact that meeting the Licensing Objectives will have on residents, including children and other vulnerable groups.

Local Risk Assessments

From 6 April 2016, it was a requirement of the Gambling Commission’s Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees (except for those which hold betting licences for tracks) to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy and the Authority requests that licensed premises keep their site specific risk assessments on the premises for both officers and the premises employees to review.

Licensees must review (and update as necessary) their local risk assessments:

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

The Authority will expect the local risk assessment to consider the urban setting:

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

14.19 The local risk assessment must show how vulnerable people, including people with gambling dependencies, are protected through:

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

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

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

14.21 Other matters that the assessment will include as appropriate:
• Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
• The layout of the premises so that staff have an unobstructed view of people using the premises.
• The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
• Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

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

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

Local Area Profile

14.24 Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Authority may publish a local area profile with a link from the licensing pages.

14.25 If a published local area profiles exists then this should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent Licensing Panel when they determine an application that has received representations.

14.26 The Authority recognises that it cannot insist on applicants using the local area profiles when completing their risk assessments. However an applicant who decides to disregard the profiles may face additional representations and the expense of a hearing as a result.

14.27 Duplication with other regulatory regimes - This 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.

14.28 Conditions

The Authority is aware that the Secretary of State has set mandatory conditions and default conditions and the Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises,
therefore it is unlikely that the Authority will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.

14.29 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the Authority will attach individual conditions to address this.

Any conditions attached to licences will be proportionate and will be:

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

14.30 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This Authority will also expect the licence applicant to offer their own suggestions as to the way in which the licensing objectives can be met effectively.

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

- Proof of age schemes.
- CCTV.
- Supervision of entrances.
- Supervision of machine areas.
- A reduction in the number of betting machines (betting premises).
- The staffing of premises.
- Physical separation of areas.
- Location of entrance points.
- Notices/signage.
- Specific opening hours.
- A requirement that children must be accompanied by an adult (in premises where children are allowed).
- Enhanced DBS checks of the applicant and/or staff.
- Staff training in brief intervention, conflict resolution, basic knowledge of mental health, learning disabilities and addiction, including substance misuse.
- Support to people with gambling addiction, including brief intervention.
- Policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays.
- Policies to address the problems associated with truant children who may attempt to gain access to premises and gamble.
- Obscuring windows where appropriate and labelling premises so it is clear that they are gambling premises.
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
14.32 This list is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the Authority and the Responsible Authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

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

14.34 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance but which does not impede the escape route from that or other areas;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

14.35 These considerations will apply to premises including buildings where multiple premises licences are applicable.

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

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

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

14.38 Door Supervisors - the Gambling Commission advises in its guidance to Licensing Authorities that if a Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young person's)
then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a condition on a premises licence to this effect.

14.39 Where it is decided that supervision of entrances and machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

14.40 Only staff directly employed by Casinos and Bingo Clubs have an exemption from SIA registration. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

15 Adult Gaming Centres

15.1 Adult gaming centres are a category of premises introduced by the Act that are most closely related to adult only amusement arcades seen in many city centres.

15.2 Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises.

15.3 This Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

15.4 Where certain measures are not already addressed by the mandatory and default conditions and the Gambling Commission Codes of Practice or by the applicant, the Authority may consider licence conditions to address such issues.

16 (Licensed) Family Entertainment Centres

16.1 Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes. Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located (see Appendix 1).

16.2 Where category C or above machines are available in premises to which children are admitted then the Authority will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the Authority may insist on a permanent barrier of at least 1 meter high
- only adults are admitted to the area where the machines (category C) are located
- access to the area where the machines are located is supervised at all times
• the area where the machines are located is arranged so that it can be observed by staff; and
• at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18.

16.3 The Authority will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The Authority will expect applicants to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

16.4 The Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

16.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:

• appropriate measures and training for staff as regards suspected truant children on the premises
• measures and training covering how staff would deal with unsupervised very young children being on the premises
• measures and training covering how staff would deal with children causing perceived problems on or around the premises
• the arrangements for the supervision of the premises either by staff or the use of a suitable CCTV system. Advice regarding the suitability of a CCTV system can be obtained from Greater Manchester Police.

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

16.7 This Authority will, as per the Gambling Commission’s guidance, refer to the Commission’s website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Authority is also aware of the mandatory conditions on these premises licences.

17 Casinos

17.1 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines. Large and small casinos can also provide betting machines.

17.2 No Casinos resolution - This Authority has not passed a ‘no casino’ resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council. Salford has two casinos which were licensed under the Gaming Act 1968, which
have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences.

17.3 Operators of premises which have a converted casino premises licence should be aware of the particular status afforded under transitional legislative provisions.

Licence considerations / conditions

17.4 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator’s Licences. The Authority will take this into consideration when determining licence applications for converted casino licences.

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

17.6 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Licence Conditions and Codes of Practice or by the applicant, the Authority may consider licence conditions to cover certain issues.

18 Bingo premises

18.1 There is no official definition for bingo in the Gambling Act 2005 however from a licensing point of view there is a category of premises licence specifically for bingo premises which is used by traditional commercial bingo halls for both cash and prize bingo. In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act (see Appendix 1).

18.2 The Authority is aware that it is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the Authority will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the Authority may insist on a permanent barrier of at least one meter high
- only adults are admitted to the area where the machines are located
- access to the area where the machines are located is supervised at all times
- the area where the machines are located is arranged so that it can be observed by staff
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
- children will not be admitted to bingo premises unless accompanied by an adult.

18.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator’s Licences. The Authority will take this into consideration when determining licence applications for bingo premises.
18.4 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the Authority may consider licence conditions to address such issues.

19 **Betting premises**

19.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at race courses as well as the general betting premises licences that track operators will require.

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

**Betting machines**

19.3 The Authority is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Authority, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

19.4 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable people, highlighted in section 13.

19.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the Authority may consider licence conditions to address such issues.

20 **Tracks**

20.1 Tracks are sites (including racecourses, dog tracks, golf courses and sports arenas) where races or other sporting events take place. Betting is a major gambling activity on some tracks, both in the form of pool betting (often known as the “totaliser” or “tote”), and also general betting, often known as “fixed-odds” betting. Multiple betting outlets are usually located on tracks such as ‘on-course’ betting operators who come onto the track just on race days to provide betting for the races taking place on that track. There can also be ‘off-course’ betting operators who may operate self-contained facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track.
All tracks will require a primary general betting premises licence that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.

Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track. This may be preferable for any self-contained premises providing off-course betting facilities at the track. The Authority will however assess each individual case on its merits before deciding if this is necessary. Where possible the Authority will be happy for the track operator to decide if any particular off-course operators should apply for a separate premises licence.

If any off-course operators are permitted to provide betting facilities under the authorisation of the track operator’s premises licence, then it will be the responsibility of the premises licence holder to ensure the proper conduct of such betting within the premises boundary.

Gambling Commission guidance also indicates that it would be possible for other types of gambling premises to be located at a track under the authorisation of separate premises licences, e.g. a casino premises licence or adult gaming centre premises licence. If you require further guidance on this provision please contact the Licensing Section.

Children and young people will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines and betting machines (other than category D machines) are provided.

The Authority will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of betting premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

Betting machines

The Authority is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Authority, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the location of the machines, in order to ensure they are in a properly segregated area where children are not permitted.

Gaming machines

Where the applicant holds a pool betting operating licence and is going to use the entitlement to 4 gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
Applications and plans

20.10 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 Authority to plan future premises inspection activity (see guidance to licensing authorities, part 20).

20.11 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.

20.12 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.

20.13 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.

20.14 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.

21 Travelling Fairs

21.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met and this provision continues in similar fashion under the new Act.

21.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

21.3 The Authority will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair.

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

22.1 A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which he expects to be constructed, to be altered or to acquire a right to occupy would be granted a premises licence. A provisional statement is not a licence and merely gives the holder some form of guarantee that a premises licence would be granted so the developer can judge whether a development is worth taking forward in light of the need to obtain a premises licence. An applicant may also apply for a provisional statement for premises which already hold a premises licence (either for a different type of gambling or the same type).

22.2 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.

22.3 S204 of the Gambling Act 2005 provides for a person to make an application to the 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.

22.4 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.

22.5 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.

22.6 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The 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:
• they concern matters which could not have been addressed at the provisional statement stage, or
• they reflect a change in the applicant’s circumstances.

22.7 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 statement stage;
• which in the Authority’s opinion reflect a change in the operator’s circumstances; or
• where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Authority notes that it can discuss any concerns it has with the applicant before making a decision.
Part D - Permits, Notices and lottery registrations

23 Unlicensed Family Entertainment Centre gaming machine permits (UFEC)

23.1 The term ‘unlicensed family entertainment centre’ is defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers.

23.2 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the Authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

23.3 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, Para 7 of the Act states “In preparing this statement, and/or considering applications, it the Authority need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.

23.4 In line with the above provision the Authority has prepared a ‘Statement of Principles’ in relation to unlicensed family entertainment centre gaming machines as follows:

Statement of Principles

23.5 This Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

23.6 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:

- appropriate measures / training for employees as regards suspected truant school children on the premises,
- measures / training covering how employees would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.
- the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the latest Home Office and ACPO standards and to the satisfaction of West Yorkshire Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.

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

23.8 This Authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate:
• a full understanding of the maximum stakes and prizes of the gambling that is permissible in UFECs;
• that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
• that employees are trained to have a full understanding of the maximum stakes and prizes.

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

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

24 Gaming machine permits in premises Licensed for the sale of alcohol - (Schedule 13 paragraph 4(1))

24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D without a licence. The premises merely need to notify the Authority.

24.2 The Authority can remove the automatic authorisation in respect of any particular premises if:

• provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
• gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
• the premises are mainly used for gaming; or
• an offence under the Gambling Act has been committed on the premises.

24.3 If a premises wishes to have more than two machines, then it needs to apply for a permit and the Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.”

24.4 This Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

24.5 Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of employees who will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also be of help. As regards the protection of vulnerable persons applicants may wish to
consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

24.6 The Authority can decide to grant the permit with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

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

24.8 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

24.9 It should be noted that the Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

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

24.11 Alcohol licensed premises are able to provide some limited equal chance gaming. Licensees are referred to the advice provided by the Gambling Commission and Appendix 3 of this document.

25 Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3))

25.1 Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered and the prizes are displayed on the walls.

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

25.3 The Gambling Act 2005 contains provision for Licensing Authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 14, Para 8 of the Act states, “in preparing this statement, and/or considering applications, it the Authority need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25.

25.5 In line with the above provision the Authority has prepared a Statement of Principles in relation to prize gaming permits as follows:

Statement of Principles

25.6 The Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
25.7 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:

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

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

25.8 The Authority will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:

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

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

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

25.11 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply. The conditions in the Act are:

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

26.1 Members Clubs and Miners’ Welfare Institutes (but not commercial clubs) may apply for a Club Gaming Permit or a Club Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming and games of chance as set out in regulations i.e. poker and bingo. A Club Machine permit will enable the premises to provide gaming machines (three machines of categories B4, C or D). Commercial clubs may apply for a ‘club machine permit’ only.

26.2 To qualify for these special club permits a members’ clubs must have at least 25 members and be established and conducted ‘wholly or mainly’ for purposes other than gaming, unless the gaming is restricted to bridge and whist. Members’ clubs must be permanent in nature, but there is no need for a club to have an alcohol licence.” Examples include working men’s clubs, branches of the Royal British Legion and clubs with political affiliations.

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

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

26.4 Before granting the permit the Authority will need to satisfy itself that the premises meets the requirements of a members’ club and that the majority of members are over 18.

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

- the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant’s premises are used wholly or mainly by children and/or young person’s;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Gambling Commission or the police.

26.6 There is also a ‘fast-track’ procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). The grounds on which an application under this process may be refused are:-

- that the club is established primarily for gaming, other than gaming prescribed by regulations;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."
27 Temporary Use Notices

27.1 Temporary use notices allow the use of premises on not more than 21 days in any 12 month period for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.

27.2 Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.

27.3 Only people or companies holding a relevant operating licence can apply for a temporary use notice to authorise the particular class of gambling permitted by their operating licence.

27.4 A temporary use notice must be lodged with the Authority not less than three months and one day before the day on which the gambling is due to take place.

27.5 The Act makes a special reference, in the context of temporary use notices, to a “set of premises” to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the Act. The Authority considers that the determination of what constitutes “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a “set of premises”, the Authority will look at, amongst other things, the ownership, occupation and control of the premises. The Authority will 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.

28 Occasional Use Notices:

28.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice. The application may be made in writing, to the Authority by the person responsible for the administration of the events on a track or by an occupier of the track.

28.2 The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This Authority will though consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

29 Small society Lottery registrations

29.1 A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.
29.2 The Act creates two principal classes of lotteries: licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries there are four sub classes, one of which is small society lotteries.

29.3 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the council for small societies who have a principal office in Salford and want to run such lottery.

29.4 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.

29.5 to be’ non-commercial’ societies, as defined in Section 19, a society is non-commercial if it is established and conducted:

- For charitable purposes;
- For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- For any other non-commercial purpose other than private gain.

29.6 It must not be possible for the purchaser of a ticket in a small society lottery to win by virtue of that ticket (whether in money, money’s worth, or partly the one and partly the other) more than £20,000.

29.7 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with an Authority. The Authority with which a small society lottery is required to register must be in the area where their principal office is located. If the Authority believes that a society’s principal office is situated in another area, it will inform the society and the other relevant Authority as soon as possible.

29.8 The other types of exempt lotteries are ‘incidental non-commercial lotteries’, ‘private lotteries’ and ‘customer lotteries’. If you require guidance on the different categories of lotteries please contact the Authority.

29.9 The National Lottery is not licensed by the Gambling Act 2005 and continues to be regulated by the National Lottery Commission under the National Lottery Act 1993.
Part E Enforcement

30 Enforcement principles

30.1 The Authority will work closely with the Responsible Authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation. Specifically the Authority is subject to the Regulators’ Code which provides the following six provisions which the Authority should follow in its enforcement activities, unless it concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or outweighed by another relevant consideration.

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
- Regulators should base their regulatory activities on risk
- Regulators should share information about compliance and risk
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- Regulators should ensure that their approach to their regulatory activities is transparent

30.2 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

30.3 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the Authority will endeavour to be:

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

30.4 As per the Gambling Commission’s Guidance for local authorities this Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

30.5 Where there is a Primary Authority scheme in place, the Authority will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were four Primary Authority arrangements with host local authorities:

- Coral London Borough of Newham
- William Hill City of Westminster
- Ladbrokes Milton Keynes
• Paddy Power Reading

Further information, including an index of all Primary Authority arrangements can be found at https://primaryauthorityregister.info/par/index.php/home

30.6 This Authority adopts a risk-based inspection programme based on:

• 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

30.7 The main enforcement and compliance role for this Authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Gambling Commission. In circumstances where the Authority believes a premises requires a premises licence for gambling activities and no such licence is in force, the Authority will alert the Gambling Commission.

30.8 This Authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

30.9 Bearing in mind the principle of transparency, this Authority’s Enforcement and Prosecution Policy is available to review on the Authority’s website.

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

30.11 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.

31 Reviews:

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

31.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:
• in accordance with any relevant code of practice issued by the Gambling Commission;
• in accordance with any relevant guidance issued by the Gambling Commission;
• reasonably consistent with the licensing objectives; and
• in accordance with the authority’s Gambling Act 2005 - statement of licensing policy.

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

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

31.5 Once a valid application for a review has been received by the 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 Authority, who will publish notice of the application within 7 days of receipt.

31.6 The Authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

31.7 The purpose of the review will be to determine whether the Authority should take any action in relation to the licence. If action is justified, the options open to the Authority are:-

(a) add, remove or amend a licence condition imposed by the Authority;
(b) exclude a default condition imposed by the secretary of state (e.g. opening hours) or remove or amend such an exclusion;
(c) suspend the premises licence for a period not exceeding three months; and
(d) revoke the premises licence.

31.8 In determining what action, if any, should be taken following a review, the Authority must have regard to the principles set out in section 153 of the act, as well as any relevant representations.

31.9 In particular, the 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.
Appendix 1 Gaming machines

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

• Table 1 below sets out the current proposals for the different categories with the maximum stakes and prizes that will apply. This table will be updated as soon as the proposals are confirmed.

• Table 2 overleaf shows the maximum number of machines permitted and in the case of casinos the ratios between tables and machines.

<table>
<thead>
<tr>
<th>Table 1 Category of machine</th>
<th>Maximum Stake</th>
<th>Maximum Prize</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Unlimited</td>
<td>Unlimited</td>
</tr>
<tr>
<td>B1</td>
<td>£5</td>
<td>£10,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(£10,000 linked progressive jackpot on a premises basis only)</td>
</tr>
<tr>
<td>B2</td>
<td>£100</td>
<td>£500</td>
</tr>
<tr>
<td>B3</td>
<td>£2</td>
<td>£500</td>
</tr>
<tr>
<td>B3A</td>
<td>£2</td>
<td>£500</td>
</tr>
<tr>
<td>B4</td>
<td>£2</td>
<td>£400</td>
</tr>
<tr>
<td>C</td>
<td>£1</td>
<td>£100</td>
</tr>
<tr>
<td>D – money prize</td>
<td>10p</td>
<td>£5</td>
</tr>
<tr>
<td>D – non-money prize (other than a crane grab machine)</td>
<td>30p</td>
<td>£8</td>
</tr>
<tr>
<td>D – non-money prize (crane grab machine)</td>
<td>£1</td>
<td>£50</td>
</tr>
<tr>
<td>D – combined money and non-money prize (other than a coin pusher or penny falls machine)</td>
<td>10p</td>
<td>£8 (of which no more than £5 may be a money prize)</td>
</tr>
<tr>
<td>D – combined money and non-money prize (coin pusher or penny falls machine)</td>
<td>20p</td>
<td>£15 (of which no more than £8 may be a money prize)</td>
</tr>
</tbody>
</table>

1 The category B2 is not actually a traditional slot machine. It refers to a type of gaming machine known as a fixed odds betting terminal (FOBTs). These are a new type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular. The Government has announced a reduction in the stakes of B2 machines to £2 in April 2019.
<table>
<thead>
<tr>
<th>Premises Type</th>
<th>A</th>
<th>B1</th>
<th>B2</th>
<th>B3</th>
<th>B4</th>
<th>C</th>
<th>D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large casino (machine/table ratio of 5-1 up to maximum)</td>
<td>Maximum of 150 machines</td>
<td>Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small casino (machine/table ratio of 2-1 up to maximum)</td>
<td>Maximum of 80 machines</td>
<td>Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pre-2005 Act Casinos (no machine/table ratio)</td>
<td>Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Betting premises and tracks operated by pool betting</td>
<td>Maximum of 4 machines categories B2 to D (except B3A machines)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bingo Premises&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4&lt;sup&gt;*&lt;/sup&gt;</td>
<td>No limit C or D machines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult gaming centre&lt;sup&gt;2&lt;/sup&gt;</td>
<td>Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4&lt;sup&gt;*&lt;/sup&gt;</td>
<td>No limit C or D machines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensed family entertainment centre&lt;sup&gt;3&lt;/sup&gt;</td>
<td></td>
<td>No limit on category D machines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family entertainment centre (with permit)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clubs or miners' welfare institutes with permits&lt;sup&gt;4&lt;/sup&gt;</td>
<td>Maximum of 3 machines in categories B3A or B4 to D&lt;sup&gt;*&lt;/sup&gt;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Qualifying alcohol licensed premises</td>
<td>1 or 2 machines of category C or D automatic upon notification</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Qualifying alcohol licensed premises with licensed premises gaming machine permit</td>
<td>Number of category C-D machines as specified on permit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travelling fair</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<sup>1</sup>Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.
Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.

Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the Authority to set a limit on the number of machines under the FEC permit.

Members’ clubs and miners’ welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.
## Appendix 2 Glossary of terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATM</td>
<td>Auto teller machine or cash machine.</td>
</tr>
<tr>
<td>Betting</td>
<td>Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).</td>
</tr>
<tr>
<td>Betting Machines / Bet Receipt Terminal</td>
<td>Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.</td>
</tr>
<tr>
<td>Bingo</td>
<td>There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.</td>
</tr>
<tr>
<td>Book</td>
<td>Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.</td>
</tr>
<tr>
<td>Casino games</td>
<td>A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.</td>
</tr>
<tr>
<td>Chip</td>
<td>Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.</td>
</tr>
<tr>
<td>Coin pusher or penny falls machine</td>
<td>A machine of the kind which is neither a money prize machine nor a non-money prize machine</td>
</tr>
<tr>
<td>Crane grab machine</td>
<td>A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person’s success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.</td>
</tr>
<tr>
<td>Default condition</td>
<td>These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Authority.</td>
</tr>
<tr>
<td>Equal Chance Gaming</td>
<td>Gaming which does not involve playing or staking against a bank.</td>
</tr>
<tr>
<td>Fixed odds betting</td>
<td>If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.</td>
</tr>
<tr>
<td>Fixed Odds betting terminals (FOBTs)</td>
<td>FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have ‘touch-screen’ displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.</td>
</tr>
<tr>
<td>Gaming</td>
<td>Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.</td>
</tr>
<tr>
<td>Gaming Machine</td>
<td>Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.</td>
</tr>
</tbody>
</table>
| Licensing Objectives | The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives. The licensing objectives are:  
• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.  
• Ensuring that gambling is conducted in a fair and open way.  
• Protecting children and other vulnerable people from being harmed or exploited by gambling. |
<p>| Lottery | A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission). |
| Mandatory condition | A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The Authority will have no discretion to alter or remove these conditions. |</p>
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Money prize machine</td>
<td>A machine in respect of which every prize which can be won as a result of using the machine is a money prize.</td>
</tr>
<tr>
<td>Non-money prize machine</td>
<td>A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by:</td>
</tr>
<tr>
<td></td>
<td>(i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or</td>
</tr>
<tr>
<td></td>
<td>(ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.</td>
</tr>
<tr>
<td>Odds</td>
<td>The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.</td>
</tr>
<tr>
<td>Off-course betting operator</td>
<td>Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.</td>
</tr>
<tr>
<td>On-course betting operator</td>
<td>The on-course betting operator is one who comes onto a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).</td>
</tr>
<tr>
<td>Pool Betting</td>
<td>For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings:</td>
</tr>
<tr>
<td></td>
<td>1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting</td>
</tr>
<tr>
<td></td>
<td>2) Shall be divided among the winners or</td>
</tr>
<tr>
<td></td>
<td>3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.</td>
</tr>
<tr>
<td>Regulations or Statutory instruments</td>
<td>Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.</td>
</tr>
<tr>
<td>Representations</td>
<td>In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.</td>
</tr>
<tr>
<td>Responsible authority (authorities)</td>
<td>Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications.</td>
</tr>
<tr>
<td></td>
<td>RAs also have the power to ask for licences to be reviewed. For Salford the RAs include the Authority in whose area the premises are wholly or partly situated, the Gambling Commission, Chief Officer of Police, Fire and Rescue Authority, Planning Authority, People Directorate, Environmental Health, HM Revenue and Customs</td>
</tr>
<tr>
<td></td>
<td>Any other person prescribed by the purposes of this section by regulations made by the Secretary of State.</td>
</tr>
<tr>
<td>Skill machine / Skill with prizes machine</td>
<td>The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player’s skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Spread betting</td>
<td>A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.</td>
</tr>
<tr>
<td>Stake</td>
<td>The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.</td>
</tr>
<tr>
<td>Statement of principles document</td>
<td>A document prepared by the Authority which outlines the areas that applicants need to consider before applying for gaming permits.</td>
</tr>
<tr>
<td>Table gaming</td>
<td>Card games played in casinos.</td>
</tr>
<tr>
<td>Tote</td>
<td>&quot;Tote&quot; is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.</td>
</tr>
<tr>
<td>Track</td>
<td>Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place. An example of a potential track within the Salford would be Salford Reds Rugby Stadium</td>
</tr>
</tbody>
</table>
## Appendix 3 Summary of gaming entitlements for clubs and pubs

<table>
<thead>
<tr>
<th>Equal chance gaming</th>
<th>Members’ club or MW institute with club gaming permit</th>
<th>Bridge or whist club</th>
<th>Members’ club or commercial club with club machine permit</th>
<th>Members’ club, commercial club or MW institute without a club gaming permit</th>
<th>Pubs and other alcohol-licensed premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Bridge and/or whist only</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Limits on stakes</th>
<th>Members’ club or MW institute with club gaming permit</th>
<th>Bridge or whist club</th>
<th>Members’ club or commercial club with club machine permit</th>
<th>Members’ club, commercial club or MW institute without a club gaming permit</th>
<th>Pubs and other alcohol-licensed premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>No limit</td>
<td>Poker</td>
<td>No limit</td>
<td>Poker</td>
<td>Cribbage &amp; dominoes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>£1000 per week</td>
<td></td>
<td>£1000 per week</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>£250 per day</td>
<td></td>
<td>£250 per day</td>
<td>Poker</td>
<td></td>
</tr>
<tr>
<td></td>
<td>£10 per person per game</td>
<td></td>
<td>£10 per person per game</td>
<td>Poker</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other gaming</td>
<td></td>
<td>Other gaming</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No limit</td>
<td></td>
<td>No limit</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Limits on prizes</th>
<th>Members’ club or MW institute with club gaming permit</th>
<th>Bridge or whist club</th>
<th>Members’ club or commercial club with club machine permit</th>
<th>Members’ club, commercial club or MW institute without a club gaming permit</th>
<th>Pubs and other alcohol-licensed premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>No limit</td>
<td>Poker</td>
<td>No limit</td>
<td>Poker</td>
<td>Cribbage &amp; dominoes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>£250 per game</td>
<td></td>
<td>£250 per game</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other gaming</td>
<td></td>
<td>Other gaming</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No limit</td>
<td></td>
<td>No limit</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Maximum participation fees – per person per day</th>
<th>Members’ club or MW institute with club gaming permit</th>
<th>Bridge or whist club</th>
<th>Members’ club or commercial club with club machine permit</th>
<th>Members’ club, commercial club or MW institute without a club gaming permit</th>
<th>Pubs and other alcohol-licensed premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridge and/or whist* £20</td>
<td>Poker</td>
<td>No limit</td>
<td>Poker</td>
<td>Cribbage &amp; dominoes</td>
<td></td>
</tr>
<tr>
<td>Other gaming £3</td>
<td>£18 (without club gaming permit)</td>
<td></td>
<td>£18 (commercial club)</td>
<td>No limit</td>
<td></td>
</tr>
<tr>
<td>£20 (with club gaming permit)</td>
<td>Other gaming</td>
<td></td>
<td>Other gaming</td>
<td></td>
<td></td>
</tr>
<tr>
<td>£1 (members club)</td>
<td></td>
<td></td>
<td>No limit</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bankers or unequal chance gaming</th>
<th>Members’ club or MW institute with club gaming permit</th>
<th>Bridge or whist club</th>
<th>Members’ club or commercial club with club machine permit</th>
<th>Members’ club, commercial club or MW institute without a club gaming permit</th>
<th>Pubs and other alcohol-licensed premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pontoon Chemin de Fer</td>
<td>None permitted</td>
<td>None permitted</td>
<td>None permitted</td>
<td>None permitted</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Limits on bingo</th>
<th>Members’ club or MW institute with club gaming permit</th>
<th>Bridge or whist club</th>
<th>Members’ club or commercial club with club machine permit</th>
<th>Members’ club, commercial club or MW institute without a club gaming permit</th>
<th>Pubs and other alcohol-licensed premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.</td>
<td>No bingo permitted</td>
<td>Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.</td>
<td>Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.</td>
<td>Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.</td>
<td></td>
</tr>
</tbody>
</table>

* On a day when no other facilities for gaming are provided