

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

**REVISED STATEMENT OF
LICENSING PRINCIPLES
GAMBLING ACT 2005**

**(CONSULTATION DOCUMENT)
OCTOBER 2009**

**CLOSING DATE FOR RESPONSES
29 NOVEMBER 2009**

FOREWORD

This Statement of Licensing Principles ('The Statement') has four main purposes, which are:

- To confirm to elected Members of the Licensing Committee, the boundaries and powers of the Authority and the parameters within which to make decisions.
- To inform licence applicants of the parameters within which the Authority will make licensing decisions and therefore how licensed premises are likely to be able to operate within the area.
- To inform local residents and businesses of the parameters within which the Authority will make licensing decisions and therefore how their needs will be addressed.
- To support a case in a court of law if the Authority has to show how it arrived at its licensing decisions.

This Statement details the policies of Cherwell District Council in its capacity as the Licensing Authority under The Gambling Act 2005. It deals specifically with the activities that are licensable under the Act, there are however a number of exemptions relating to small scale activities.

Further information regarding the exemptions may be found through the Department for Culture Media and Sport website www.culture.gov.uk or by contacting the Licensing Team at the address below.

If you have queries about licensing issues, please contact:

Licensing Team
Urban & Rural Services
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

Telephone: 01295 753744
Fax: 01295 221878
Email: licensing@cherwell-dc.gov.uk
Website: www.cherwell.gov.uk

Any queries regarding licensing policy issues should be forwarded in writing to the above address.

INDEX

1.	Introduction	3
1.1	The Licensing Objectives	3
1.2	Cherwell District	3
1.3	General Advice	3
1.4	Consultation	4
1.5	Declaration	4
1.6	Responsible Authorities	4
1.7	Interested Parties	5
1.8	Exchange of Information	6
1.9	Enforcement	6
1.10	Appeals	7
1.10	Delegation of Licensing Functions	7
2.	Permits	8
2.1	Gaming Machine Categories	8
2.2	Unlicensed Family Entertainment Centre Gaming Machine Permits (FECs)	8
2.3	(Alcohol) Licensed Premises Gaming Machine Permits	9
2.4	Prize Gaming Permits	9
2.5	Club Gaming and Club Machine Permits	10
3.	Premises Licences	12
3.1	Decision Making - General	12
3.2	Location	12
3.3	Multiple Licences/ Layout of Buildings	12
3.4	Conditions	13
3.5	Door Supervisors	13
3.6	Adult Gaming Centres	13
3.7	Licensed Family Entertainment Centres	14
3.8	Tracks	15
3.9	Casinos	16
3.10	Betting Premises	16
3.11	Bingo	17
3.12	Travellers Fairs	17
3.13	Provisional Statements	17
4	Temporary and Occasional Use Notices	19
4.1	Temporary Use Notices	19
4.2	Occasional Use Notices	19
5	Reviews	20
Annex 1	Licensing Authority Delegations	21
Annex 2	Map of Cherwell District Area	25
Annex 3	Responsible Authorities	26
Annex 4	Gaming Machines – Categorisation	29
Annex 5	Gaming Machines – Summary of machine provisions by premises	30

1. Introduction

1.1 The Licensing Objectives

1.1.1 The Gambling Act 2005 ('the Act') gives licensing authorities various regulatory functions in relation to gambling. The main functions are:

- Licensing premises for gambling activities;
- Considering notices given for the temporary use of premises for gambling;
- Granting permits for gaming and gaming machines in clubs and miners' welfare institutes;
- Regulating gaming and gaming machines in alcohol licensed premises;
- Granting permits to family entertainment centres for the use of certain lower stake gaming machines;
- Granting permits for prize gaming;
- Considering occasional use notices for betting at tracks;
- Registering small societies' lotteries.

1.1.2 Cherwell District Council ('the Council') is a Licensing Authority for the purposes of the Act.

1.1.3 Annex 1 gives a summary of the Licensing Authority delegations permitted under the Act.

1.1.4 In exercising most of their functions under the Act, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

1.2 Cherwell District

1.2.1 This Statement has been formulated taking into account the character of the District and the nature of the entertainment and hospitality industry in the District.

1.2.2 The area of the District comprises three main urban centres in Banbury, Bicester and Kidlington together with a rural area which comprises some 35% of the District population, which is now in excess of 137,500.

Deleted: 40

Deleted: 133

Deleted: 0

1.2.3 Both Banbury and Bicester being market towns have long provided a focal point for entertainment for people from the immediate surrounding area. Kidlington being situated close to Oxford is affected by entertainment facilities provided there.

1.2.4 A map of Cherwell District is attached as Annex 2.

1.3 General Advice

1.3.1 The aim of the Statement is to ensure compliance with the Gambling Act 2005. namely:-

- To assist businesses so they do not breach licensing requirements
- To protect the health and welfare of the general public

1.3.2 The Council seeks to secure compliance with the law in a variety of ways. Most of the dealings with individuals and businesses are informal, providing advice and assistance over the telephone, during visits and in writing.

1.4 Consultation

1.4.1 This Statement has been produced in compliance with DCMS regulations, Gambling Commission and LACORS (the Local Authorities Coordinators of Regulatory Services) guidance. The Statement has been produced in liaison with the Oxfordshire Licensing Group. The following persons/bodies will be consulted upon this policy and any future revisions and their views will be taken into consideration when finalising the Statement:-

- 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.

Deleted: prepared in consultation with the following persons/ bodies

1.4.2 The Statement will remain in force for no more than 3 years, but may be reviewed at any time.

Deleted: ¶
¶
<#>A full list of consultees is attached as Annex 2.¶

1.5 Declaration

1.5.1 This Statement has been prepared with due regard to the licensing objectives, the guidance to Licensing Authorities issued by the Gambling Commission (May, 2009), and with due weight attached to any responses received from those consulted.

Deleted: April

Deleted: 6

1.5.2 This Statement 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 and according to the statutory requirements of the Act.

1.6 Responsible Authorities

1.6.1 Responsible Authorities are public bodies who must be notified of an application and are entitled to make representations to the Licensing Authority in relation to applications for, and in relation to, premises licenses. The Responsible Authorities under the Gambling Act 2005 for the area of the Cherwell District are:-

- The Licensing Authority (Cherwell District Council)
- The Gambling Commission
- The Chief Officer of Police for the area the premises is wholly or partially situated in
- The local Fire Authority
- The Planning Authority (Cherwell District Council)
- The Environmental Protection Department (Cherwell District Council)
- A body designated in writing by the Licensing Authority as competent to advise about the protection of children from harm
- HM Revenue and Customs
- Any other persons prescribed in regulations by the Secretary of State

In the event that the premise is a vessel, the following body also become responsible authorities

- The Environment Agency
- The British Waterways Board
- The Maritime and Coastguard Agency

1.6.2 The contact details of all the Responsible Authorities under the Act are attached at Annex 3 and available via the Council's website at www.cherwell.gov.uk.

1.6.3 In exercising the Council's 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 following principles have been applied:

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

1.6.4 Having regard to the above principles, the Council has designated the Oxfordshire Safeguarding for Children Board for this purpose.

Deleted: designate

Deleted: s

1.7 Interested Parties

1.7.1 Interested Parties can make representations about licence applications, or apply for a review of an existing licence. The Act defines Interested Parties as persons who, in the opinion of the Licensing Authority;

- (a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) have business interests that might be affected by the authorised activities; or
- (c) represent persons who satisfy paragraph (a) or (b) *

1.7.2 Whether or not a person is an Interested Party is a decision that will be taken by the Council on a case-by-case basis. However, the following factors will be taken into account:

- the size of the premises;
- the nature of the premises;
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment);
- the nature of the complainant. This is not the personal characteristics of the complainant but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) residential hostel for vulnerable adults;
- the 'catchment' area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area, that might be affected.

1.7.3 This list is not exhaustive and other factors may be taken into consideration in an individual case.

1.7.4 * The Council considers the following bodies/associations fall within the category of those who represent persons living close to premises, or having business interests that might be affected by the authorised activities:-

- trade associations;
- trade unions;
- residents' and tenants' associations;
- district ward/ county division/ town/ parish councillors;
- MPs.

1.7.5 This list is not exhaustive and other bodies/associations may also be considered. In other cases, the Council may require written evidence that the person/association/body represents an Interested Party.

1.8 Exchange of Information

1.8.1 The Council regards the lawful and correct treatment of information as very important to the successful and efficient performance of the Council's functions, and to maintaining confidence between the people/ bodies the Council deals with. The Council ensures that it treats information lawfully and correctly.

1.8.2 The Council may share information in accordance with the following provisions of the Act: -

- Sections 29 & 30 (with respect to information shared between the Council and the Gambling Commission);
- Section 350 (with respect to information shared between the Council and the other persons listed in Schedule 6 to the Act).

1.8.3 In the exercise of the above functions, consideration shall also be given to the common law duty of confidence, the law relating to defamation, the guidance issued by the Gambling Commission and to the Council's policies in relation to data protection and freedom of information.

1.8.4 *The Council will adopt the principles of better regulation.*

1.8.5 The Licensing Authority has a protocol on information exchange with the other four licensing authorities in Oxfordshire, Thames Valley Police, the Environmental Health Service of each district council in Oxfordshire and Oxfordshire County Council's Social and Health Care, Fire and Rescue Service and Trading Standards. This will be updated to reflect the 2005 Act and will be available on the Council's website or on request.

1.8.6 Any person wishing to obtain further information about their rights under the Data Protection Act 1998 or the Freedom of Information Act 2000 may view the Council's policies at www.cherwell.gov.uk or alternatively contact the Data Protection Officer, Head of Legal and Democratic Services on 01295 252535.

1.9 Enforcement

1.9.1 The Council will adopt a risk-based approach to the inspection of gambling premises. This will allow for the targeting of high-risk premises or those where a breach would have serious consequences. Premises that are low risk and/ or well run will be subject to a less frequent inspection regime.

1.9.2 Where necessary, appropriate enforcement (including prosecution under section 34(6) of the Act) will be carried out in a fair and consistent manner and in accordance with

- The Oxfordshire Joint **Enforcement** Protocol (to which the Council has signed up) (*)
- Cherwell District Council enforcement policies (*)
- Other National compliance or best practice guidance where applicable

1.9.3 (*) Copies of the above documents are available on request from the Licensing Team.

1.9.4 The Council will endeavour to avoid duplication with other regulatory regimes so far as possible.

1.9.5 Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Gambling Commission.

1.10 Appeals

1.10.1 Sections 206 to 209 of the Gambling Act provide a right of appeal to the Magistrates' Court against the decision of the Licensing Authority.

1.10.2 Notice of appeal must be given within 21 days of notice of the decision being received by the appellant to the Magistrates' Court.

1.10 Delegation of Licensing Functions

1.10.1 The Council has agreed a scheme of delegation that details which matters under the Act are to be dealt with by The Council, a Sub-Committee of the Licensing Committee and Officers.

1.10.2 The scheme of Licensing Authority delegations is attached as Annex 1.

2. Permits

2.1 Gaming Machine Categories

- 2.1.1 Gaming machines will be divided into categories, with different entitlements set out in the Act to use the various categories. This section requires the Secretary of State to define, in regulations, four classes of gaming machine, to be known as categories A, B, C and D.
- 2.1.2 The categorisation will refer to the particular facilities for gambling which are offered on the machine. In particular, *under subsection (4)*, the regulations can specify:
- the maximum amounts that can be paid to use the machine;
 - the value or nature of the prize delivered as a result of its use;
 - the nature of the gambling for which the prize is used; or
 - the types of premises on which it can be used.
- 2.1.3 The intention is that Category D will have the lowest levels of charge and prizes, and that these will increase in value, up to Category A, which will be a machine with no limits as to charges and prizes.
- 2.1.4 Categorisation of Gaming Machines are shown in Annex 4
- 2.1.5 Annex 5 sets out the permitted number of gaming machines at each type of premise.

2.2 Unlicensed Family Entertainment Centre Gaming Machine Permits (FECs)

- 2.2.1 Unlicensed Family Entertainment Centres will be able to offer category D machines if granted a permit by the Council. If an operator of an **FEC**, wishes to make category C machines available in addition to category D machines, they will need to apply for an Operating Licence from the Gambling Commission and a Premises Licence from the Council.
- 2.2.2 The Council can grant or refuse an application for a permit, but cannot attach conditions.
- 2.2.3 As unlicensed family entertainment centres will particularly appeal to children and young persons, weight shall be given to child protection issues, particularly where there is a mixture of category C and D machines.
- 2.2.4 The Council 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. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff should deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. The Council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed **FECs**; that the applicant has no relevant convictions (those that are set out in Schedule 7 to the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

Deleted: family entertainment centre

Deleted: family entertainment centres

2.3 (Alcohol) Licensed Premises Gaming Machine Permits

- 2.3.1 Premises licensed to sell alcohol for consumption on the premises, can automatically have 2 gaming machines, of categories C and/or D. The holder of the Premises Licence authorising the sale of alcohol will simply need to notify the Council, and pay the prescribed fee.
- 2.3.2 The Council 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 Act *this Section requires written notice and fee payable to the Licensing Authority;*
 - the premises are mainly used for gaming; or
 - an offence under the Act has been committed on the premises.
- 2.3.3 If a premise wishes to have more than 2 machines, then the holder of the Premises Licence will need to apply for a permit. The Council shall consider that application having regard to the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Act, and any other matters that are considered relevant.
- 2.3.4 The Council shall determine what constitutes a relevant consideration on a case-by-case basis, but weight shall be given to the third licensing objective i.e. protecting children and vulnerable persons from being harmed or being exploited by gambling. To this end, the Council will expect applicants to demonstrate that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access, may include the adult **gaming** machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage **which effectively restrict access** may also be **required**. With respect to the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare, which can be downloaded from www.gamcare.co.uk.
- 2.3.5 It is recognised that some alcohol-licensed premises may apply for a Premises Licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with under this Act.
- 2.3.6 The Council 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.
- 2.3.7 The holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

Deleted: of help

Deleted: most likely

2.4 Prize Gaming Permits

- 2.4.1 Applicants for prize gaming permits should set out the types of gaming that he or she is intending to offer. The applicant should be able to demonstrate:
- that they understand the limits to stakes and prizes that are set out in Regulations; and
 - that the gaming offered is within the law.
- 2.4.2 In making its decision on an application for this type of permit the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance. Weight will be given to child protection issues, and relevant considerations are

Deleted: n a

likely to include the suitability of the applicant (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises. Applicants for prize gaming permits must disclose any previous relevant convictions to the Council.

2.4.3 The Council can grant or refuse an application for a permit, but cannot attach any conditions. However, there are 4 conditions in the Act that permit holders must comply with. These are:

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

2.5 Club Gaming and Club Machine Permits

2.5.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (4 machines of categories B3A, B4, C or D), equal chance gaming and games of chance.

Deleted: 3

2.5.2 If a club does not wish to have the full range of facilities permitted by a Club Gaming Permit or if they are a commercial club not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act), they may apply for a Club Machine Permit, which will enable the premises to provide gaming machines (4 machines of categories B3A, B4, C or D).

Deleted: 3

2.5.3 Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

2.5.4 An application may only be refused on one or more of the following grounds:

- 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 persons;
- an offence under the Act or a breach of a condition 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

2.5.5 The Council shall have regard to the guidance issued by the Gambling Commission and (subject to that guidance), the licensing objectives.

2.5.6 There is a 'fast-track' procedure available for clubs which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which an authority can refuse a permit are reduced.

2.5.7 The grounds on which an application under the fast track procedure may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

2.5.8 The Council can grant or refuse an application for a Club Gaming or Club Machine Permit, but cannot attach any conditions.

Deleted: However, there are a number of conditions in the Act that the holder must comply with.

Deleted: <#>Annex 6 sets out the permitted number of gaming machines at each type of premise.¶

3. Premises Licences

3.1 Decision Making - General

3.1.1 In accordance with Section 153 of the Act, the Council shall 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 Principles

3.1.2 The Council will not have regard to the expected demand for the facilities which it is proposed to provide, nor the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.

3.1.3 Each case will be considered on its individual merits. However, in order to assist applicants and objectors alike, this section sets out the general factors that will be taken into account by the Council when considering applications for Premises Licences.

3.2 Location

3.2.1 The location of premises may be relevant to the promotion of the licensing objectives. In particular, premises located in close proximity to the following may give rise to concern

- schools
- vulnerable adult centres
- residential areas with a high concentration of children

3.2.2 Much will depend upon the type of gambling that it is proposed will be offered on the premises. The Council will, where appropriate, consider the location on a case-by-case basis. If the proposed location does pose a risk to the promotion of the licensing objectives, the applicant will be invited to show how they propose to overcome such concerns.

3.3 Multiple Licences/ Layout of Buildings

3.3.1 Premises are defined in the Act as including 'any place', but no more than one Premises Licence can apply in relation to any one place under this Act. A single building can be subject to more than one Premises Licence, provided they are for different parts of the building and those parts can reasonably be regarded as being different premises. **It should be noted that the Licensing Authority will refuse licences where the premises have been artificially sub-divided.**

3.3.2 Where multiple licences are sought, **and are not artificially sub-divided**, for a building (or a discrete part of a building used for other non gambling purposes), specific issues will need to be considered by the Council before such application(s) can be granted. These include

- the ability of children to gain access to or observe gambling facilities (even accidentally) – entrances and exits from parts of a building covered by more than one Premises Licence should be separate and identifiable so that the separation of different premises is not compromised and that people (and in particular children) do not drift into a gambling area.
- the compatibility of the 2 or more establishments; and
- the ability of the establishments to comply with the requirements of the Act.

3.3.3 In accordance with the Gambling Commission guidance, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

3.4 Conditions

3.4.1 Conditions may be imposed upon a Premises Licence in a number of ways. These are

- (a) Mandatory – set by the Secretary of State (some set out on the face of the Act) and some to be prescribed in regulations, for all, or classes of licence;
- (b) Default – to be prescribed in regulations made by the Secretary of State, to be attached to all or classes of licences unless excluded by the Licensing Authority;
- (c) Specific – conditions that can be attached to an individual licence by the Licensing Authority.

3.4.2 Conditions imposed by the Council will be proportionate to the circumstances that they are seeking to address. In particular, the Council will ensure that Premises Licence conditions:

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

3.4.3 Certain matters may not be the subject of conditions. These 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

3.5 Door Supervisors

3.5.1 It is not a mandatory requirement of the Act to impose a condition relating to door supervision. However, if the Council does consider it necessary to impose a condition on a Premises Licence requiring the presence of door supervisors, such persons would normally need to hold a licence from the Security Industry Authority (SIA).

3.5.2 This requirement does not apply to door supervisors at licensed casino or bingo premises, who are exempt from the licensing requirements of the Private Security Industry Act 2001. The Council may however impose specific requirements on door supervisors at such premises if considered appropriate in an individual case.

3.5.3 In all cases the Council will ensure that any requirement for door supervision will be both necessary and proportionate.

3.6 Adult Gaming Centres

3.6.1 Persons operating an adult gaming centre must obtain an operating licence from the Commission and a Premises Licence from the Council. This will allow the operator to make category B, C & D machines available to their customers.

3.6.2 In considering licence applications for adult gaming centres, weight will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will therefore expect applicants to demonstrate that there will be sufficient measures in place to promote this objective.

3.6.3 Applicants are encouraged to consider the following steps:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Location of and entry to premises (so as to minimise the opportunities for children to gain access);
- Notices / signage;
- Training for staff on challenging persons suspected of being under-age;
- Specific opening hours;
- Self-barring schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

3.6.4 This list is not exhaustive, and is merely indicative of example measures.

3.6.5 Please see paragraph 3.4 for details of conditions that may be attached to Premises Licences authorising adult gaming centres.

3.7 Licensed Family Entertainment Centres

3.7.1 Operators of licensed Family Entertainment Centres will require an Operating Licence from the Gambling Commission, and a Premises Licence from the Council. This will allow the operator to make category C & D machines available to their customers.

3.7.2 Children and young persons will be able to enter licensed Family Entertainment Centres and play on the category D machines. They will not be permitted to play on category C machines, as these are permitted for over 18's only.

3.7.3 As Family Entertainment Centres will particularly appeal to children and young persons, weight shall be given to child protection issues. Where category C machines are available in licensed Family Entertainment Centres the Council will normally require that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

3.7.4 Applicants are therefore encouraged to consider the following steps:

- CCTV;

- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of and entry to premises (so as to minimise the opportunities for children to gain access);
- Notices / signage;
- Training for staff on challenging persons suspected of being under-age;
- Specific opening hours;
- Self-barring schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises.

3.7.5 This list is not exhaustive, and is merely indicative of example measures.

3.7.6 Please see paragraph 3.4 for details of conditions that may be attached to Premises Licences authorising licensed Family Entertainment Centres.

3.8 Tracks

3.8.1 Tracks are sites (including racecourses and dog tracks) where sporting events take place; this will also apply to Point to Point events. Operators of tracks will require a Premises Licence from the Council, but they do not need to obtain an Operating Licence from the Gambling Commission (although they may have one).

3.8.2 Tracks may be subject to one or more than one Premises Licence, provided each licence relates to a specified area of the track.

3.8.3 It will be a mandatory condition of all track licences that children and young persons are excluded from any areas where facilities for betting are provided, and any area where a gaming machine, other than a category D machine, is situated. Special dispensation from this rule is provided for dog tracks and horse racecourses, on days when racing takes place, in relation to the areas used for betting. On these days families will be entitled to attend the track or racecourse, and children enter the areas where facilities for betting are provided. This race day dispensation does not apply to the areas where gaming machines of category B & C are provided, and the Council will therefore wish to ensure that suitable measures are in place to prevent children from entering such areas.

3.8.4 Applicants are encouraged to consider the following steps:

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

3.8.5 This list is not exhaustive, and is merely indicative of example measures.

3.8.6 *Gaming machines* – holders of betting Premises Licences in respect of tracks who also hold a pool betting operating licence may make available up to 4 gaming machines (categories B2 to D) on the track. The Council will therefore expect the applicant to

demonstrate that suitable measures are in place to ensure that children are prevented from entering areas where machines (other than category D machines) are made available.

- 3.8.7 *Betting machines at tracks* - the Council will apply similar considerations to those set out in paragraph 3.10 (in relation to betting machines made available at off-course betting premises) to betting machines made available at tracks.
- 3.8.8 *Condition on rules being displayed* - the Council will attach a condition to track Premises Licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.
- 3.8.9 *Applications and plans* - the Council will require the following information from applicants for Premises Licences in respect of tracks: -
- detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring");
 - in the case of dog tracks and horse racecourses, details of the fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities.
- 3.8.10 Plans should make clear what is being sought for authorisation under the track betting Premises Licence and what, if any, other areas are to be subject to a separate application for a different type of Premises Licence.

3.9 Casinos

- 3.9.1 *No Casinos resolution* - The Council 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 the Council decide in the future to pass such a resolution, it will update this Statement with details of that resolution.

3.10 Betting Premises

- 3.10.1 This paragraph deals with off-course betting, that is betting that takes place other than at a track (commonly known as a licensed betting office). Operators of betting premises will require an Operating Licence from the Gambling Commission and a Premises Licence from the Council.
- 3.10.2 The holder of a Betting Premises Licence may make available for use up to 4 gaming machines of category B (B2, B3A, B3 or B4), C or D.
- 3.10.3 The Council may, in accordance with section 181 of the Act, restrict the number of betting machines, their nature, and the circumstances in which those machines are made available for use. When considering whether to impose such a condition, the Council will take into account the following: -
- the size of the premises;
 - the number of counter positions available for person-to-person transactions; and
 - the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people

3.10.4 Please see paragraph 3.4 for details of conditions that may be attached to Betting Premises Licences.

3.11 Bingo

3.11.1 Operators of premises offering bingo (cash or prize) will require a Bingo Operating Licence from the Gambling Commission, and a Premises Licence from the Council.

3.11.2 The holder of a Bingo Premises Licence may, in addition to bingo in all its forms, make available for use up to 4 category B gaming machines (B3 & B4) and any number of category C & D machines.

3.11.3 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 the Council will normally require that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

3.11.4 Please see paragraph 3.4 for details of conditions that may be attached to bingo Premises Licences.

3.12 Travellers Fairs

3.12.1 It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit are 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.

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

3.12.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applied to the piece of land which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with neighbouring authorities to ensure that land which crossed over boundaries is monitored so that the statutory limits are not exceeded.

3.13 Provisional Statements

- 3.13.1 This Licensing Authority notes the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a Premises Licence" and that "Requiring the building to be complete ensures that the Licensing Authority could, if necessary inspect it fully".
- 3.13.2 In terms of representations about Premises Licence application, following the grant of a Provisional Statement, no further representations from relevant Responsible Authorities or Interested Parties can be taken into account unless they concern matters which could not have been addressed at the Provisional Statement stage, or they reflect a change in the applicant's circumstances. In addition, the Licensing Authority may refuse the Premises Licence (or grant it on terms different to those attached to the Provisional Statement) only by reference to matters:
- which could not have been raised by objectors at the Provisional Licence stage; or
 - which, in the Licensing Authority's opinion, reflect a change in the operator's circumstances.
- 3.13.3 This Council has noted the Gambling Commission's Guidance that "A Licensing Authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal".

4 Temporary and Occasional Use Notices

4.1 Temporary Use Notices

- 4.1.1 Temporary use notices allow the use of premises for gambling where there is no Premises Licence but where a person or company holding a relevant operators licence wishes to use the premises temporarily for providing facilities for gambling.
- 4.1.2 There are a number of statutory limits in regards to temporary use notices for example the same set of premises may not be the subject of a temporary use notice for more than 21 days in any 12 month period, but may be the subject of several notices provided that the total does not exceed 21 days.
- 4.1.3 If objections are received to a temporary use notice (from the Police, Gambling Commission, HM Revenues & Custom or any other Licensing Authority in whose area the premises are situated), the Licensing Authority must hold a hearing to consider the representation (unless all the participants agree that a hearing is unnecessary).
- 4.1.4 If the Licensing Authority, after a hearing has taken place or been dispensed with, considers that the temporary use notice should not have effect, it must issue a counter-notice which may:
- prevent the temporary use notice from taking effect;
 - limit the activities that are permitted;
 - limit the time period of the gambling; or
 - allow the activities to take place subject to a specified condition
- 4.1.5 The Licensing Authority will apply the principles set out in paragraph 3.1 of this Statement to any consideration as to whether to issue a counter-notice.

4.2 Occasional Use Notices

- 4.2.1 The Licensing Authority has very little discretion in determining occasional use notices other than ensuring that the statutory limit of 8 days in a calendar year is not exceeded.
- 4.2.2 However, the Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to use such a notice.

5 Reviews

5.1 Interested Parties or Responsible Authorities can request a review or a Premises Licence. However, it is for the Licensing Authority to decide whether to grant such an application for a review of the licence. The Licensing Authority will consider whether the request is:-

- frivolous;
- vexatious;
- certain not to cause the Licensing Authority to wish to alter, revoke or suspend the licence; or
- substantially the same as previous representations or requests for review.

5.2 The Licensing Authority will also consider whether the request is relevant to the following matters:

- 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 this Statement.

5.3 The Licensing Authority can also initiate a review of a licence on the basis of any reason that it considers appropriate.

Annex 1 Licensing Authority Delegations

1. Administrative matters

Matter to be Delegated	Officer(s) power is to be delegated to
<p>The power to</p> <ol style="list-style-type: none"> a. determine that any representations received under Part 8 of the Act are vexatious, frivolous, or certainly will not influence the Authority's determination of an application b. reject all or part of any application for a review of a Premises Licence in accordance with Section 198 of the Act c. revoke a Premises Licence for non-payment of the annual fee (s193) d. serve notification of intended refusal of any of the following:- <ol style="list-style-type: none"> i. Family Entertainment Centre Gaming Machine Permit (Sch 10 para 10) ii. Prize Gaming Permits (Sch 14 para 11) iii. Licensed Premises Gaming Machine Permits (Sch 13 para 6) e. and also, in the latter case, notice of intention to grant the application but for a smaller number of machines than specified and/or a different category of machines from that specified in the application. f. serve notification of lapse of a Family Entertainment Centre Gaming Machine Permit (Sch 10 para 14 and 15 (1)(b)) g. serve notice of intention to cancel or vary any of the following:- <ol style="list-style-type: none"> i. Club Gaming permit or Club Gaming Machine permit (Sch 12 para 21) ii. Licensed Premises Gaming Machine permits (Sch 13 para 16) h. create and amend the Authority's application procedures in relation to applications for the following in accordance with any relevant legislation:- <ol style="list-style-type: none"> i. Family Entertainment Centre Gaming Machine Permits (sch10 paras 5 and 7) ii. Licensed Premises gaming Machine Permits (Sch 13 para 2) iii. Prize Gaming Permits (Sch 14 paras 6 and 8) 	<ol style="list-style-type: none"> 1. Head of Service responsible for licensing functions 2. Strategic Director for Environment and Community
<p>The power to set fees under any regulations made under S212 of the Gambling Act 2005, subject to the provisions of that section and such regulations. (For the first year only, thereafter power will revert to the Licensing Committee)</p>	<ol style="list-style-type: none"> 1. Head of Service responsible for licensing functions 2. Strategic Director for Environment and Community 3. Head of Finance

<p>The power to appoint authorised persons under s 304 of the Act</p>	<p>1. Head of Service responsible for licensing functions 2. Strategic Director for Environment and Community</p>
<p>The power of the Licensing Authority</p> <ol style="list-style-type: none"> a. as a responsible authority, to make representations under Part 8 of the Act b. to propose to attach a condition to a Premises Licence in accordance with section 169(1)(a) of the Act in addition to the mandatory or default conditions c. to propose the exclusion of a default condition from a Premises Licence under S169(1)(b) of the Act d. as a responsible authority, to request a review of a Premises Licence under sections 197 or 200 of the Act e. to give a notice of objection to a temporary use notice under S221 of the Act. 	<p>1. Head of Service responsible for licensing functions 2. Strategic Director for Environment and Community 3. Chief Executive of the Council.</p>
<p>The Power to issue formal cautions and/or Instruct Legal Services to commence and defend proceedings under the Gambling Act 2005, its subordinate legislation, (and any legislation which may subsequently amend or replace it)</p>	<p>1. Head of Service responsible for licensing functions 2. Strategic Director for Environment and Community</p>
<p>The power to commence and defend proceedings both criminal and civil under The Gambling Act 2005 and its subordinate legislation, (and any legislation which may subsequently amend or replace it)</p>	<p>Head of Legal and Democratic Services.</p>
<p>The power to administer and carry out all other functions of the Licensing Authority capable of delegation under The Gambling Act 2005 and its subordinate legislation, (and any legislation which may subsequently amend or replace it,) which is not otherwise delegated to the Authority, The Licensing Committee or its Sub Committees ("Panels"). This includes for example, (but is not limited to):-</p> <ol style="list-style-type: none"> (i) to serve and receive service of all notices, counter notices, etc required or permitted to be served under the Act (ii) to determine points of clarification required for hearings (iii) to agree that a hearing is unnecessary (iv) to adjourn hearings where all parties are in agreement (v) to determine applications where representations are withdrawn before the hearing (vi) to give effect to the decisions of the Magistrates Court on appeal 	<p>1. Head of Service responsible for licensing functions 2. Strategic Director for Environment and Community</p>

2. Determination of applications etc.

In relation to the following matters the Authority will, in the majority of cases, follow the table of delegated functions set out below. This table indicates the lowest level of the authority which will normally exercise the delegation though the Authority reserves the right, (where appropriate), for any particular matter to be dealt with at a higher level whilst having due regard to statutory requirements. For example, an Officer may choose not to exercise their delegated power and refer the matter to the Panel or the Panel itself may choose to refer the matter to the Full Council.

Matter to be dealt with	Council	Sub-committee of Licensing Committee	Officers *
Final approval of three year Statement of Licensing Principles	X		
Policy not to permit casinos	X		
Fee setting (For the first year)			X
Fee setting (From 2008 onwards)		X	
Application for Premises Licence (including applications for re-instatement under S195)		<p>i Where representations have been received and not withdrawn (S154 (4)(a)) and/or</p> <p>ii Where the Licensing Authority considers that a condition should be added to the licence under S169(1)(a) or a default condition should be excluded under section 169(1)(b) unless the applicant and any persons making representations agree to this course of action and that a hearing is unnecessary</p>	Where no representations received or all have been withdrawn
Application for a variation to a Premises Licence		<p>i Where representations have been received and not withdrawn (S154 (4)(b)) and/or</p> <p>ii Where the Licensing Authority considers that a condition should be added to the licence under S169(1)(a) or a default condition should be excluded under section 169(1)(b) unless the applicant and any persons making representations agree to this course of action and that a hearing is unnecessary (S187(3))</p>	Where no representations received or all have been withdrawn
Application for a transfer of a Premises Licence		Where representations have been received from the Commission and not withdrawn (S154 (4) (c))	Where no representations received from the Commission

Matter to be dealt with	Council	Sub-committee of Licensing Committee	Officers *
Application for a Provisional Statement		i Where representations have been received and not withdrawn (S154 (4)(d)) and/or ii Where the Licensing Authority considers that a condition should be added to the licence under S169(1)(a) or a default condition should be excluded under section 169(1)(b) unless the applicant and any persons making representations agree to this course of action and that a hearing is unnecessary	Where no representations received or all have been withdrawn
Review of a Premises Licence		X	
Application for club gaming/ club machine permits, renewals and variations		i Where objections have been made (and not withdrawn) ii Objection made and not withdrawn (Sch 12 para 28 (2)) iii Refusal of permit proposed on the grounds listed in Sch 12 paragraph 6(1)(a)-(d) , or paragraph 10(3) as applicable unless Authority and all relevant parties agree that a hearing is unnecessary (Sch 12 para 7)	Where no representations received or all have been withdrawn and all other cases.
Cancellation of club gaming/ club machine permits		X	
Applications for other permits registrations and notifications			X
Cancellation of licensed premises gaming machine permits		Where Permit holder request a hearing under paragraph 16(2) or makes representations.	X
Consideration of temporary use notice (including notices modified under S223)		All cases where an objection notice has been received unless each person who would be entitled to make representations agrees that a hearing is unnecessary and the Head of Service responsible for licensing functions or the Strategic Director for Environment and Community is satisfied that a counter notice is not required (S 222 and 232).	All other cases
Decision to give a counter notice to a temporary use notice		X	

* These powers are delegated to

1. Head of Service responsible for licensing functions

2. Strategic Director for Environment and Community.

Annex 2 Map of Cherwell District Area



Annex 3 Responsible Authorities

The Responsible Authorities for the Cherwell District Council area under the 2005 Act, and their contact details are as follows.

Contact details may change, and other responsible authorities may be designated by regulations by the Secretary of State. For latest information, please check with the Licensing Authority (contact details inside front cover).

		Contact details for preliminary discussions or follow-up enquiries	
Responsible Authority	Address	Phone	Email and website
The Licensing Authority	The Licensing Authority Cherwell District Council Bodicote House, Bodicote BANBURY OX15 4AA	01295 221535	licensing@cherwell-dc.gov.uk www.cherwell.gov.uk
The Planning Authority	The Planning Authority Cherwell District Council Bodicote House, Bodicote BANBURY OX15 4AA	01295 252535	www.cherwell.gov.uk
Environmental Health	Environmental Protection Cherwell District Council Bodicote House, Bodicote BANBURY OX15 4AA	01295 252535	www.cherwell.gov.uk
Gambling Commission	Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP	0121 230 6500	www.gamblingcommission.gov.uk
Thames Valley Police	Acting Chief Constable Thames Valley Police Headquarters Oxford Road Kidlington OX5 2NX	01865 266109	licensingoxford@ thamesvalley.pnn.police.uk
Fire and Rescue Service	Fire and Rescue Service Oxfordshire County Council Rewley Road Fire Station OXFORD OX1 2EH	01865 242223	

Oxfordshire Safeguarding Children Board	Oxfordshire Safeguarding Children Board c/o Children, Young People & Families Directorate Oxfordshire County Council Macclesfield House New Road Oxford OX1 1NA		
Customs and Excise	Her Majesty's Commissioners of Customs and Excise		
If the application relates to a boat or vessel the Navigation Authority will become a Responsible Authority for such applications.			
The British Waterways Board (IF APPLICABLE)	FAO The Service Manager The Navigation Authority, British Waterways Ground Floor, Witan Gate House 500-600 Witan Gate Milton Keynes BUCKS MK9 1BW	01908 302500	Deleted: Navigation Authority
Environment Agency (IF APPLICABLE)	National Customer Contact Centre PO Box 544 Rotherham S60 1BY	08708 506 506	
Navigation Authority (IF APPLICABLE)	Maritime and Coastguard Agency Spring Place 105 Commercial Road Southampton Hants SO15 1EG	01908 302500	
Any other person prescribed for the purpose by regulations made by the Secretary of State.			

Adjacent licensing authorities

(Where premises straddle the area boundary) A Licensing Authority for the area in which the premises are partly situated is also a Responsible Authority.			
		Contact details for preliminary discussions or follow-up enquiries	
Responsible Authority	Address	Phone	Email and website

South Northamptonshire District Council	The Licensing Authority South Northamptonshire District Council Springfields Towcester Northants NN12 6AE	0845 2300226	licensing@southnorthants.gov.uk
South Oxfordshire District Council	The Licensing Authority South Oxfordshire District Council Benson Lane Crowmarsh Gifford Wallingford OX10 8HQ	01491 823421	licensing@southoxon.gov.uk
West Oxfordshire District Council	The Licensing Authority West Oxfordshire District Council Council Offices Woodgreen Witney OX28 1NB	01993 861000	licensing@westoxon.gov.uk
Vale of White Horse District Council	The Licensing Authority Vale of White Horse DC Abbey House Abbey Close Abingdon OX14 3JE	01235 520202	licensing.unit@whitehorsedc.gov.uk
Oxford City Council	The Licensing Authority Oxford City Council Ramsay House 10 St Ebbes Street Oxford OX1 1PT	01865 252565	licensing@oxford.gov.uk
Stratford-upon-Avon District Council	The Licensing Authority Stratford-on-Avon District Council Elizabeth House Church Street Stratford-upon-Avon Warwickshire CV37 6HX	01789 267575	info@stratford-dc.gov.uk
Aylesbury Vale District Council	The Licensing Authority Aylesbury Vale District Council Customer Service Centre 66 High Street Aylesbury HP20 1SD	01296 585858	custserv@aylesburyvaledc.gov.uk

Annex 4 Gaming Machines – Categorisation

Deleted: Category of Machine

<u>Category of Machine</u>	<u>Maximum Stake</u>	<u>Maximum Prize</u>
<u>A</u>	<u>Unlimited</u>	<u>Unlimited</u>
<u>B1</u>	<u>£2</u>	<u>£4,000</u>
<u>B2</u>	<u>£100 (in multiples of £10)</u>	<u>£500</u>
<u>B3A</u>	<u>£1</u>	<u>£500</u>
<u>B3</u>	<u>£1</u>	<u>£500</u>
<u>B4</u>	<u>£1</u>	<u>£250</u>
<u>C</u>	<u>£1</u>	<u>£70</u>
<u>D – non-money prize (other than a crane grab machine)</u>	<u>30p</u>	<u>£8</u>
<u>D – non-money prize (crane grab machine)</u>	<u>£1</u>	<u>£50</u>
<u>D (money prize)</u>	<u>10p</u>	<u>£5</u>
<u>D – combined money and non-money prize (other than a coin pusher or penny falls machine)</u>	<u>10p</u>	<u>£8 (of which no more than £5 may be a money prize)</u>
<u>D – combined money and non-money prize (coin pusher or penny falls machine)</u>	<u>10p</u>	<u>£15 (of which no more than £8 may be a money prize)</u>

Annex 5 Gaming Machines – Summary of machine provisions by premises

<u>Premises type</u>	<u>Machine category</u>						
	<u>A</u>	<u>B1</u>	<u>B2</u>	<u>B3</u>	<u>B4</u>	<u>C</u>	<u>D</u>
<u>Large casino</u> (<u>machine/table ratio of 5-1 up to maximum</u>)		<u>Maximum of 150 machines</u> <u>Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)</u>					
<u>Small casino</u> (<u>machine/table ratio of 2-1 up to maximum</u>)		<u>Maximum of 80 machines</u> <u>Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)</u>					
<u>Pre-2005 Act casino</u> (<u>no machine/table ratio</u>)		<u>Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead</u>					
<u>Betting premises and tracks occupied by pool betting</u>		<u>Maximum of 4 machines categories B2 to D</u>					
<u>Bingo premises</u>				<u>Maximum of 8 machines in category B3 or B4</u>		<u>No limit on category C or D machines</u>	
<u>Adult gaming centre</u>				<u>Maximum of 4 machines in category B3 or B4</u>		<u>No limit on category C or D machines</u>	
<u>Family entertainment centre (with Premises Licence)</u>						<u>No limit on category C or D machines</u>	
<u>Family entertainment centre (with permit)</u>							<u>No limit on category D machines</u>
<u>Clubs or miners' Welfare institute (with permits)</u>				<u>Maximum of 3 machines in categories B3A or B4 to D*</u>			
<u>Qualifying alcohol licensed premises</u>						<u>1 or 2 machines of category C or D automatic upon notification</u>	
<u>Qualifying alcohol licensed premises (with gaming machine permit)</u>						<u>Number of category C-D machines as specified on permit</u>	
<u>Travelling fair</u>							<u>No limit on category D machines</u>
	<u>A</u>	<u>B1</u>	<u>B2</u>	<u>B3</u>	<u>B4</u>	<u>C</u>	<u>D</u>

* It should be noted that members' clubs and miners' welfare institutes 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 are entitled to a total of three machines in categories B4 to D.