

## **CABINET ITEM COVERING SHEET PROFORMA**

**AGENDA ITEM**

**REPORT TO CABINET**

**30 NOVEMBER 2006**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION**

***Community Safety– Lead Cabinet Member – Councillor Kirton***

#### **THE LICENSING ACT 2003 AND THE GAMBLING ACT 2005 – PROGRESS ON THE TRANSFER OF FUNCTIONS TO THE LOCAL AUTHORITY**

1. Summary

To inform Cabinet of the implementation of the Licensing Act 2003 and progress of the Gambling Act 2005 and outline actions required for the authority to be able to undertake its new functions.

2. Recommendations

1. That Cabinet note the report and implications.
2. An all Member Seminar(s) be arranged when the Gambling Act Regulations are implemented
3. That Cabinet recommend the approval of the Gambling Act 2005 Statement of Principles to the Council together with the necessary changes to the Scheme of Delegation.

3. Reasons for the Recommendations/Decision(s)

New legislative framework that will impact significantly upon the Council

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.**

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#### **DETAIL**

1. Cabinet has previously received reports on the Licensing Act 2003 in December 2003, April 2004, November 2004 and July 2005 and on the Gambling Act 2005 in March 2006. This report updates members on the work undertaken under the Licensing Act and the progress on implementation of the Gambling Act 2005.

#### **LICENSING ACT 2003**

2. The Licensing Act 2003 was fully implemented on 24 November and this authority has issued 532 licenses to premises and has issued 702 personal licenses. As requested by Cabinet all new and variation license applications were consulted on by means of a letter to residences within a 100m in addition to the consultation mechanisms required by statute, this has resulted in over 390 consultations being undertaken, on average a ten page letter being sent to around 100 premises per consultation (over 39,000 letters). These consultations resulted in 311 hearing reports being prepared and a busy workload for the Licensing Sub Committees. Neighboring authorities did not undertake such additional consultation and they had only a handful of hearings each.

3. The number of premise licenses issued and variations/transfers etc requested has exceeded initial estimates whilst the number of personal licenses issued and changes requested has been lower than estimated. The net effect is that the levels of income have been greater than initially estimated (£95,000 per annum as against an estimate of £32,500) whilst expenditure on staffing and consultation has been greater than initially expected (£45,000). Additional staffing costs within Trading Standards & Licensing Administration have been managed using MS to date and reductions in staffing levels are currently being undertaken to ensure that the service can be maintained within current budget allocation and the additional income received.

## **GAMBLING ACT 2005**

4. The Draft Statement of Principles under the Gambling Act 2005 was considered both prior to consultation (June 2006) and following consultation (October 2006). The Licensing Committee has considered the revised draft and has recommended it for approval. The revised draft Statement of Principles is attached as Appendix One.
5. The revisions to the Scheme of Delegation that will be required by the authority in implementing the Gambling Act 2005 are contained in Appendix A of the Statement of Principles.
6. The key stages for implementation remain as outlined in the report to Cabinet in March 2006 other than the time table for receipt of applications has been set back to 30 April 2007 to allow authorities a little more time for preparation. An action plan showing how we are preparing for implementation is attached as Appendix Two.

## **FINANCIAL AND LEGAL IMPLICATIONS**

7. The Government has stated that money has been made available through the Revenue Support Grant (RSG) distributed by ODPM for the start-up costs associated with gambling premises licensing. This money was available in 04/05 and 05/06. The Government envisaged that the following should be considered as start-up costs:
  - training for existing licensing officers, councillors and administrative staff;
  - staff/recruitment costs (where additional staff are required to fulfil gambling premises licensing responsibilities);
  - additional software/hardware requirements;
  - transfer of records from licensing justices to licensing authorities; and
  - production of the licensing authority's three year licensing policy statement, and consultation on it.

In accordance with the medium term financial plan this resource is not passported – it is considered at this moment that current staffing levels should be able to cope with the additional work anticipated by the Gambling Act 2005 as the initial high levels of work required by the Licensing Act begin to tail off. This assumption will need to be kept under review as the Gambling Act 2005 is implemented and, if initial assumptions are not accurate, a further report to Cabinet may be needed in late 2007.

8. The ongoing costs of authorities' new responsibilities under the Act are to be met through initial application and annual fees (for premises licences) and fees for permits and other permissions.
9. Premises licence fees in England and Wales will be set via a series of bands, with a prescribed maximum in each band. Licensing authorities will be able to select precise fees from within the bands, limited to cost recovery. This is intended to allow authorities to fully recover the costs of their new responsibilities whilst providing consistency of approach

across England and Wales and providing the gambling industry with a degree of certainty over the fees that may be charged.

10. In addition, certain high performing authorities will be free to set their own fees, again limited to cost recovery. This will give those selected authorities the freedom to consider other types of fee structure, such as higher fees for an expedited service. It is currently envisaged that this freedom will apply to those authorities rated excellent under the Audit Commission's Comprehensive Performance Assessment.
11. The Secretary of State will set the fees for permits and other services.
12. The draft regulations covering fees are not likely to be published until mid April and therefore officers have not, as yet, been able to determine the resource implications for the authority. Consultation on premise applications by the local authority will not be covered by the license fee (as per the Licensing Act 2003). If the authority wishes to continue this form of consultation, further resources will be required.
13. The implementation of the Council's new responsibilities under the Gambling Act 2005 involves making complex decisions, balancing the interests of applicants for licences with the interests of their customers and those of the community at large

## **COMMUNITY STRATEGY IMPLICATIONS**

14. To secure a safe and attractive environment for current and future generations;  
To promote the safety and well being of the community;  
To further regenerate the Borough and improve the local economy.

Environmental Implications-The implementation of the Gambling Act 2005 will impact on the communities' environment. Through the introduction of a strategic Gambling Policy there may be opportunities to further improve the environment, to the benefit of all.

Community Safety Implications - Community Safety is one of the cornerstones of the introduction of the Gambling Act 2005. The introduction of the new regime should assist in reducing crime and disorder by deterring criminals from using gambling establishments to launder money and to reduce the level of problem gambling.

## **RISK ASSESSMENT**

15. Risks have been identified which could lead to inability to meet business objectives and to deliver services, leading to financial loss, non-compliance with legislation, damage to the Council's image and reputation and failure to meet stakeholders expectations. The degree of risk varies significantly, dependant upon the outcome of the final legislation, fee levels etc. The risk score has currently been assessed as 6, placing the issue in the LOW category, with lead responsibility assigned to the Head of Community Protection.

## **CONSULTATION, INCLUDING WARD COUNCILLORS**

16. Local authorities are required to issue a Statement of Principles outlining how they will promote the objectives of:
  - Preventing gambling from being a source of crime and disorder or being used to support crime
  - Ensuring gambling is conducted in a fair and open way
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.





**Stockton-on-Tees**  
BOROUGH COUNCIL

# **Gambling Act 2005**

# **Statement of Licensing Principles**





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## **Gambling Act 2005**

### **STATEMENT OF LICENSING PRINCIPLES**

#### **PART A**

##### **1. Introduction**

1.1 Stockton-on-Tees Borough Council will become the Licensing Authority under the Gambling Act 2005. This will result in the Council becoming responsible for granting premises licences in the Borough of Stockton-on-tees in respect of such premises as:-

- Casino premises;
- Bingo premises;
- Betting premises, including tracks;
- Adult Gaming Centres;
- Family Entertainment Centres.

1.2 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.

1.3 This draft “Statement of Licensing Principles” has been prepared having regard to the provisions of the Guidance issued by the Gambling Commission and the licensing objectives of the Gambling Act 2005. It is intended to be a discussion document leading to adoption by Stockton-on-Tees Borough Council of a formal Statement of Licensing Principles, after having due regard to any responses from those consulted on this draft statement.

1.4 The formal Statement of Licensing Principles will come into effect on the date of adoption by the Council and will be available on the Council's website at [www.tradingstandards.gov.uk/stockton](http://www.tradingstandards.gov.uk/stockton).

##### **2. Declaration**

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

##### **3. The Borough of Stockton-on-Tees**

3.1 The Borough of Stockton-on-Tees is one of five councils in the Tees Valley district and covers an area of 20,400 hectares and is an area of contrasts – a mixture of busy town centres, urban residential areas and picturesque villages whilst maintaining a strong industrial presence. The population is around 187,000 living in approximately 75,000 households.

3.2 The main urban areas are Stockton, Thornaby, Inglegly Barwick, Billingham and Yarm. These are shown on the map at Appendix B.

#### 4. **Licensing Objectives**

4.1 The Gambling Act 2005 requires that the Council carries out its various licensing functions with a view to promoting the following three licensing objectives:-

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

4.2 It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

4.3 This licensing authority is aware that, as per Section 153, 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 principles

#### 5. **Licensing Authority Functions**

5.1 'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery.

- gaming means playing a game of chance for a prize
- betting means making or accepting a bet on the outcome of a race, competition, or any other event ; the likelihood of anything occurring or not occurring; or whether anything is true or not
- A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance

5.2 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines
- Grant Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices

- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

5.3 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via Operator Licences.

5.4 The Gambling Commission has recommended that licensing authorities include a list of licensable activities in their policy statements. LACORS has requested a definitive list from the Gambling Commission and this will be incorporated into this policy statement once provided.

## 6. **Responsible Authorities**

6.1 The licensing 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 licensing authority's area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc

6.2 In accordance with the Gambling Commission's Guidance for local authorities this Council designates the Stockton on Tees Local Safeguarding Children Board for this purpose.

6.3 The contact details of all the Responsible Bodies under the Gambling Act 2005 are available via the Council's website at: [www.tradingstandards.gov.uk/stockton](http://www.tradingstandards.gov.uk/stockton)

## 7. **Interested Parties**

7.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

7.2 "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 licensing authority which issues the licence or to which the applications is made, the person-

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- (b) has business interests that might be affected by the authorised activities, or
- (c) represents persons who satisfy paragraph (a) or (b)

7.3 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

7.4 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 to local authorities. Note though that decisions on Premises Licences and temporary use notices must be "in accordance" with Gambling Commission Guidance (Section 153). 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.

7.5 The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

7.6 Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. 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. **Consultation**

8.1 This Statement of Licensing Principles will be subject to formal consultation with:

1. Cleveland police;
2. Representatives of the holders of the various licences for premises within the Borough who will be affected by this Policy;
3. Persons/bodies representing the interests of persons likely to be affected by this policy.

## 9. **Exchange of Information**

9.1 In fulfilling its functions and obligations under the Gambling Act 2005 the Council will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information, the Council will conform to the requirements of data protection and freedom of information legislation in accordance with the Council's existing policies.

9.2 The Council 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 Details of those persons making representations will be made available to applicants to allow for negotiation and, in the event of a hearing being held, will form part of a public document. Anyone making representations or applying for the review of a premises licence will be informed that their details will be disclosed.

## 10. **Enforcement**

10.1 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.

10.2 This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and 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

10.3 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

10.4 This licensing authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme. Whilst the Gambling Commission's Guidance suggests that the criteria the authority will utilise in this respect are included in this statement, this has not been possible. At the time of writing the Gambling Commission has not published its risk criteria, nor are regulations such as mandatory / default conditions published, nor Codes of Practice. LACORS is working with the Gambling Commission to produce a risk model for premises licences and this authority will consider that model once it is made available.

10.5 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the Operator 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 licensing authority but will be notified to the Gambling Commission.

10.6 This licensing 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.

10.7 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the licensing department.

## 11. Transitional Arrangements

11.1 During the transitional arrangements period specified in the Act, a Premises Licence will be issued to persons applying under an Order made by the Secretary of State under Schedule 18 of the Act, who have supplied the required information, documentation and fee. Issue of licences will be on the basis of existing permissions being continued. If however, the Police make a representation that the conversion of an existing licence would undermine the crime prevention and disorder objective, the licence will be referred to the Council's Licensing Sub-Committee for consideration.

## 12. **The Licensing Process**

- 12.1 The Council's licensing functions under the Act will be carried out by the Licensing Committee, supported by a number of sub-committees and by officers acting under the delegated authority of the committee. Further details can be found in the table of delegation of licensing functions at Appendix A.
- 12.2 Where there are no areas of contention it is considered that many of the functions will be largely administrative. In the interests of efficiency and effectiveness officers will for the most part, carry these out.
- 12.3 Where there are relevant representations in respect of an application the matter will be determined by the Licensing Sub Committee, as will any application for the review of a licence.
- 12.4 This Statement is not intended to override the right of any person to make an application under the Act, and to have that application considered on its merits. Equally, the Statement is not intended to undermine the right of any person to make representations about an application or to seek a review of a licence where provision has been made for them to do so.



## **PART B**

### **PREMISES LICENCES**

#### **13. General Principles**

- 13.1 Premises Licences will be subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be 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 appropriate.
- 13.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the 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
- 13.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – page 16) and also that unmet demand is not a criterion for a licensing authority.
- 13.4 Definition of "premises" - Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 13.5 This licensing authority takes particular note of the Gambling Commission's Guidance for local 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.
  - licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should 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.
- 13.6 It should also be noted that an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to "the premises" are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be

issued in relation to premises that are ready to be used for gambling. This authority agrees with the Gambling Commission 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. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

- 13.7 Location - This licensing 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 for local 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. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this policy statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how the concerns can be overcome.
- 13.8 Duplication with other regulatory regimes - This licensing authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions that can not be met by licensees due to planning restrictions, should such a situation arise.
- 13.9 Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 13.10 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime – This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.
- 13.11 The Council will, when determining applications, consider whether the grant of a Premises Licence will result in an increase in crime and disorder.
- 13.12 Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council's Licensing Officers and Cleveland Police before making a formal application.
- 13.14 In considering licence applications, the Council will particularly take into account the following:-
- a) The location of the premises
  - b) The design and layout of the premises;
  - c) The training given to staff in crime prevention measures appropriate to those premises;
  - d) Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;

- e) Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
- f) The likelihood of any violence, public order or policing problem if the licence is granted.
- 13.15 Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks that is explained in more detail in the 'tracks' section below.
- 13.16 Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance for local authorities 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 licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as:-
- a) Supervision of entrances;
  - b) Segregation of gambling areas from areas frequented by children;
  - c) Supervision of gaming machines in licensed family entertainment centres
- 13.17 With limited exceptions, the access of children and young persons to those gambling premises that are 'adult only environments' will not be permitted.
- 13.18 The licensing authority will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.
- 13.19 The licensing authority will consult with the Stockton on Tees Local Safeguarding Children Board on any application that indicates there may be concerns over access for children or vulnerable persons.
- 13.20 This licensing authority will also make itself aware of the Codes of Practice that the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.
- 13.21 As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking 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 gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case-by-case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.
- 13.22 Conditions - 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.

- 13.23 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of control measures this licensing 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 licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.
- 13.24 This licensing authority will also consider specific measures that may be required for buildings that 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.
- 13.25 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;
  - 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.
- 13.26 These considerations will apply to premises including buildings where multiple premises licences are applicable.
- 13.27 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 13.28 It is noted that there are conditions that the licensing authority cannot attach to premises licences that 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
- 13.29 Door Supervisors - The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Security Industry Authority (SIA) cannot license the door supervisors at casinos or bingo premises.

13.30 For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances / machines is appropriate for particular cases but it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.

#### 14. **Adult Gaming Centres**

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

14.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- 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.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

#### 15. **(Licensed) Family Entertainment Centres:**

15.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- 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.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

15.2 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

## 16. **Casinos**

- 16.1 No Casinos resolution - This licensing 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 licensing 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.
- 16.2 Casinos and competitive bidding - This licensing authority is aware that where a licensing authority area is enabled to grant a Premises Licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations issued under the Gambling Act 2005 by the Secretary of State.
- 16.3 Licence considerations / conditions - The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises" (Gambling Commission Guidance for local authorities - 17.30). This guidance will be considered by this licensing authority when it is made available.
- 16.4 Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

## 17. **Bingo Premises**

- 17.1 This licensing authority notes that the Gambling Commission's Guidance states:

18.4 - 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 licensing authorities should ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to 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.

- 17.2 This licensing authority is also aware that the Gambling Commission is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This licensing authority will consider this guidance once it is made available.

## 18. **Betting Premises**

18.1 Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

## 19. **Tracks**

19.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

19.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

19.3 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measures/licence conditions may cover issues such as:

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

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

19.4 Gaming machines - Further guidance from the Gambling Commission is awaited as regards where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. This licensing authority notes the Commission's Guidance that licensing authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

19.5 Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the

use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

- 19.6 Condition on rules being displayed - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should 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."
- 19.7 Applications and plans - This licensing authority awaits regulations setting-out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include 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") and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "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."
- 19.8 This licensing authority also notes that in the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

## 20. Travelling Fairs

- 20.1 It will fall to this licensing authority to decide whether, where category D 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.
- 20.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 20.3 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 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 licensing authority will work with its neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.

## 21. Provisional Statements

- 21.1 This licensing authority notes the Guidance from the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority can inspect it fully".
- 21.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been



addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

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

21.3 This authority 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."

## 22. **Reviews**

22.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

- is it in accordance with any relevant code of practice issued by the Gambling Commission
- is it in accordance with any relevant guidance issued by the Gambling Commission
- is it reasonably consistent with the licensing objectives and
- is it in accordance with the authority's statement of licensing principles

22.2 An application for a review may be rejected if the licensing authority thinks that the grounds on which the review is sought:

- (a) are irrelevant
- (b) the grounds are frivolous;
- (c) the grounds are vexatious;
- (d) the grounds "will certainly not" cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;
- (e) the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
- (f) the grounds are substantially the same as representations made at the time the application for a premises licence was considered.

22.3 The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate

## PART C

### Permits / Temporary & Occasional Use Notice

23. **Unlicensed Family Entertainment Centre Gaming Machine Permits** (Statement of Principles on Permits – Schedule 10 para 7)
- 23.1 Where a premise does not hold a Premises Licence but wishes to provide category D gaming machines, it may apply to the licensing 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).
- 23.2 The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits licensing authorities will want to give weight to child protection issues." (24.6)
- 23.3 It should be noted that a licensing authority cannot attach conditions to this type of permit.
- 23.4 **Statement of Principles** - This licensing 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. 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 would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also 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 unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.
24. **(Alcohol) Licensed Premises Gaming Machine Permits** – (Schedule 13 Para 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. The premises merely need to notify the licensing authority. The licensing 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 licensing 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
- 24.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing 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.” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling 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. Measures which will satisfy the authority that there will be no access may include the adult machines being in site of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons this applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

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

24.4 It should be noted that the licensing 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.

24.5 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.

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

25.1 The Gambling Act 2005 states that a Licensing Authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

25.2 This licensing authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that he or she is intending to offer and that 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.

25.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

25.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

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

## 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 Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).
- 26.2 Gambling Commission Guidance for local authorities states: "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."
- 26.3 The Commission Guidance also notes that licensing authorities may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
  - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
  - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
  - (d) a permit held by the applicant has been cancelled in the previous ten years; or
  - (e) an objection has been lodged by the Commission or the police.
- 26.4 There is also a 'fast-track' procedure available under the Act for premises that hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:
- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
  - (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
  - (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."
- 26.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## 27. Temporary Use Notices

- 27.1 There are a number of statutory limits as regards temporary use notices and 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.
- 27.2 Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is

given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."

28. **Occasional Use Notices** (Tracks)

28.1 The licensing 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. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

29. **Further Information**

Further information about the Gambling Act 2005, this Statement of Licensing Principles and about the application process, including application forms and guidance notes can be obtained from:

The Licensing Office  
Trading Standards and Licensing  
Stockton on Tees Borough Council  
16 Church Road  
Stockton on Tees  
TS18 1TX  
Telephone (01642) 526558  
Fax (01642) 526584  
E-mail [licensing.services@stockton.gov.uk](mailto:licensing.services@stockton.gov.uk)  
Website: [www.tradingstandards.gov.uk/stockton](http://www.tradingstandards.gov.uk/stockton)

Information is also available from the

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP  
Telephone to be announced  
E-mail [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)  
Website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

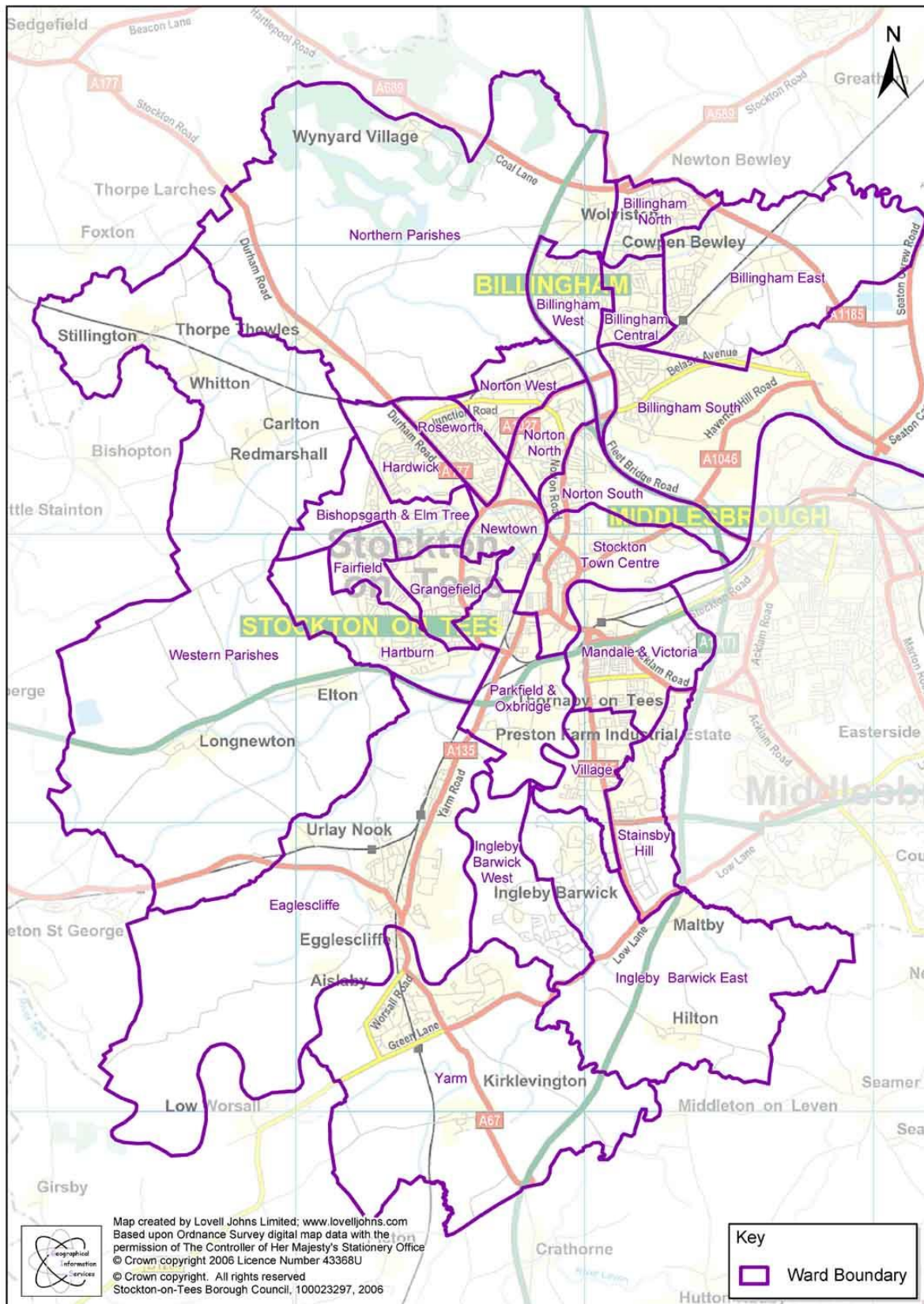
**Table Of Delegation Of Licensing Functions**

The Council will delegate its functions under The Gaming Act 2005 as follows:

<b>Matter To Be Dealt With</b>	<b>Full Council</b>	<b>Sub-Committee</b>	<b>Officers</b>
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate			X
Application for premises licences		Where relevant representations have been received and not withdrawn	Where no relevant representations received/representations have been withdrawn
Application for a variation to a licence		Where relevant representations have been received and not withdrawn	Where no relevant representations received/representations have been withdrawn
Application for a transfer of a licence		Where relevant representations have been received from the Commission	Where no relevant representations received from the Commission
Application for a provisional statement		Where relevant representations have been received and not withdrawn	Where no relevant representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where relevant representations have been received and not withdrawn	Where no relevant representations received/representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X

Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Map of Council Area





## List of Contacts

Useful Contacts	Name	Contact Details
Application Packs and Guidance Notes	Licensing Administration	Licensing Administration Trading Standards & Licensing Stockton on Tees Borough Council 16 Church Road Stockton on Tees TS18 1TX Telephone: (01642) 526558 e-mail: <a href="mailto:licensing.administration@stockton.gov.uk">licensing.administration@stockton.gov.uk</a>
Policy Related Issues	David Kitching	Trading Standards & Licensing Manager Stockton on Tees Borough Council 16 Church Road Stockton on Tees TS18 1TX Telephone: (01642) 526530 e-mail: <a href="mailto:dave.kitching@stockton.gov.uk">dave.kitching@stockton.gov.uk</a>
Technical Issues	Licensing Enforcement	Trading Standards & Licensing Stockton on Tees Borough Council 16 Church Road Stockton on Tees TS18 1TX Telephone: (01642) 526568 e-mail: <a href="mailto:licensing.services@stockton.gov.uk">licensing.services@stockton.gov.uk</a>
Environment Matters ie Noise, Health & Safety	Colin Snowdon	Health & Environment Manager Stockton on Tees Borough Council 16 Church Road Stockton on Tees TS18 1TX Telephone: (01642) 526555 e-mail: <a href="mailto:colin.snowdon@stockton.gov.uk">colin.snowdon@stockton.gov.uk</a>
Crime & Disorder	Marilyn Davies	Community Safety Manager Stockton on Tees Borough Council Surveillance Centre The Square Stockton on Tees Telephone: (01642) 527610 e-mail: <a href="mailto:marilyn.davies@stockton.gov.uk">marilyn.davies@stockton.gov.uk</a>

Cleveland Police	Keith Daley	Divisional Licensing Unit Stockton Police Station Thistle Green Stockton on Tees Telephone: (01642) 302360 e-mail: <a href="mailto:keith.daley@cleveland.pnn.police.uk">keith.daley@cleveland.pnn.police.uk</a>
Cleveland Fire Service	Fire Safety Division	Cleveland Fire Brigade Fire Safety Division Endeavour House Stockton Road Hartlepool Telephone: (01429) 872311 e-mail: <a href="mailto:hpfs@clevelandfire.gov.uk">hpfs@clevelandfire.gov.uk</a>
Protection of Children From Harm	Pauline Beall	Business Manager Stockton-on-Tees Local Safeguarding Children Board The Review Unit Parkside, Billingham Stockton-on-Tees TS23 2JH Telephone: (01642) 527632 e-mail: <a href="mailto:pauline.beall@stockton.gov.uk">pauline.beall@stockton.gov.uk</a>
Residents Associations	Julie Derbyshire	Stockton Residents & Community Groups Association 32 Dovecot Street Stockton on Tees TS18 1LN Telephone: (01642) 391360 e-mail: <a href="mailto:Doc@srcga.fsnet.co.uk">Doc@srcga.fsnet.co.uk</a>
Planning Matters	Barry Jackson	Planning Manager Stockton on Tees Borough Council Planning & Environment Municipal Buildings Church Road Stockton on Tees TS18 1LD Telephone: (01642) 526066 e-mail: <a href="mailto:barry.jackson@stockton.gov.uk">barry.jackson@stockton.gov.uk</a>
Building Control Matters	Raymond Sullivan	Building Control Manager Stockton on Tees Borough Council Building Control Municipal Buildings Church Road Stockton on Tees TS18 1LD Telephone: (01642) 526040 e-mail: <a href="mailto:raymond.sullivan@stockton.gov.uk">raymond.sullivan@stockton.gov.uk</a>
Trading Standards Matters	Jimmy Jones or Lorraine Wilford	Principal Trading Standards Officer Stockton on Tees Borough Council 16 Church Road

		<p>Stockton on Tees  TS18 1TX  Telephone: (01642) 526560  e-mail: <a href="mailto:trading.standards@stockton.gov.uk">trading.standards@stockton.gov.uk</a></p>
Safer Stockton Partnership	Mike Batty (Secretary)	<p>C/O Stockton on Tees Borough Council  Community Protection Division  PO Box 232  16 Church Road  Stockton on Tees  TS18 1XD  Telephone: (01642) 527075  e-mail: <a href="mailto:mike.batty@stockton.gov.uk">mike.batty@stockton.gov.uk</a></p>
CCTV	Michael McLone	<p>Assistant Head of Security Services  Stockton on Tees Borough Council  Surveillance Centre  The Square  Stockton on Tees  Telephone: (01642) 527608  e-mail: <a href="mailto:michael.mclone@stockton.gov.uk">michael.mclone@stockton.gov.uk</a></p>
Care For Your Area (Cleansing)	Richard Bradley	<p>Care for Your Area  Stockton on Tees Borough Council  Cowpen Lane Depot  Cowpen Lane  Billingham  TS23 4DD  Telephone: (01642) 527739  e-mail: <a href="mailto:richard.bradley@stockton.gov.uk">richard.bradley@stockton.gov.uk</a></p>
Town Centre Strategy	Mark Rowell	<p>Regeneration &amp; Economic Development  Business Development  Stockton on Tees Borough Council  Municipal Buildings  Stockton on Tees  TS18 1LD  Telephone: (01642) 526010  e-mail: <a href="mailto:mark.rowell@stockton.gov.uk">mark.rowell@stockton.gov.uk</a></p>

## Useful Links

Stockton on Tees Trading Standards and Licensing website

<http://www.tradingstandards.gov.uk/stockton>

Department of Culture Media and Sport – Gambling & racing

[http://www.culture.gov.uk/gambling\\_and\\_racing/](http://www.culture.gov.uk/gambling_and_racing/)

Gambling Commission

<http://gamblingcommission.gov.uk>

Guidance to Licensing Authorities

<http://www.gamblingcommission.gov.uk/UploadDocs/publications/Document/guidance%20to%20Licensing%20Authorities.pdf>

HMSO – The Gambling Act 2005

<http://www.opsi.gov.uk/acts/acts2005/20050019.htm>

Casino Advisory Panel

<http://www.culture.gov.uk/cap>

Independent Betting Arbitration Service

<http://www.ibas-uk.co.uk>

GamCare

<http://www.gamcare.org.uk>

**List Of Consultees**

All Councillors  
Parish Councillors  
Middlesbrough Council  
Redcar & Cleveland Council  
Sedgefield Council  
Hartlepool Council  
Cleveland Police Chief Constable and Stockton Licensing Section  
Cleveland Fire Service  
Stockton Residents & Community Groups Association  
Planning  
Trading Standards  
Environmental Health  
Safer Stockton Partnership  
Safeguarding Children Board  
HMRC  
Gamblers Anonymous  
Gam-Anon  
GamCare  
Gambling Commission  
British Beer & Pub Association  
Association of British Bookmakers  
Bingo Association  
Remote Gambling Association  
National Lottery Commission  
Business in Sport & Leisure  
Casino Operators Association  
BACTA  
British Holiday & Home Parks Association  
British Race Courses Association Limited  
British Casino Association  
William Hill  
Ladbrokes Head Office  
Ladbrokes High St, Stockton  
Ladbrokes Oxbridge Lane  
Ladbrokes Thorntree Rd  
Andy Smith Racing  
Coral Wolviston Rd  
Coral Silver St  
Reg Boyle Ltd Queens Ave  
Reg Boyle Lanehouse Rd  
KM Racing  
Ladbroke Racing Ltd  
The Clevelander  
Coral Queensway  
John Joyce Bookmakers  
Mincoffs Solicitors  
Hawkins Ross Solicitors  
Forths Solicitors  
Popleston Allen Solicitors  
Freemans Solicitors  
Freers Solicitors  
Tilley Bailey & Irvine Solicitors  
Vickers Chisman & Wislade  
John Gaunt

## Appendix Two

### Overall Timetable For Implementation Of The Gambling Act 2005

March 2006	April 2006	May 2006	June 2006	July 2006	Aug 2006	Sept 2006	Oct 2006	Nov 2006	Dec 2006	Jan 2007	Feb 2007	March 2007	April 2007	May 2007	June 2007	July 2007	Aug 2007	Sept 2007	
		Draft and consult on 'Statements of Principles'							Publish 'Statement of Principles'										
							Assess budgets												
										Set fees									
		Obtain details of existing permissions (Magistrates' courts)																	
		Publish website information <sup>1</sup>																	
										Create application forms <sup>2</sup>									
										Set-up administrative processes									
						Obtain details of existing permissions (Gambling Commission)													
													Process applications						
										Training of officers & councillors									
										IT systems set-up									
										Hearings process & templates									
												Draft enforcement protocols							

<sup>1</sup> Factsheets will be provided by DCMS as regulations on transition arrangements are published.

<sup>2</sup> LACORS is producing template forms / permits where DCMS does not provide for in regulations.