







# **GAMBLING ACT 2005**

## **STATEMENT OF PRINCIPLES**

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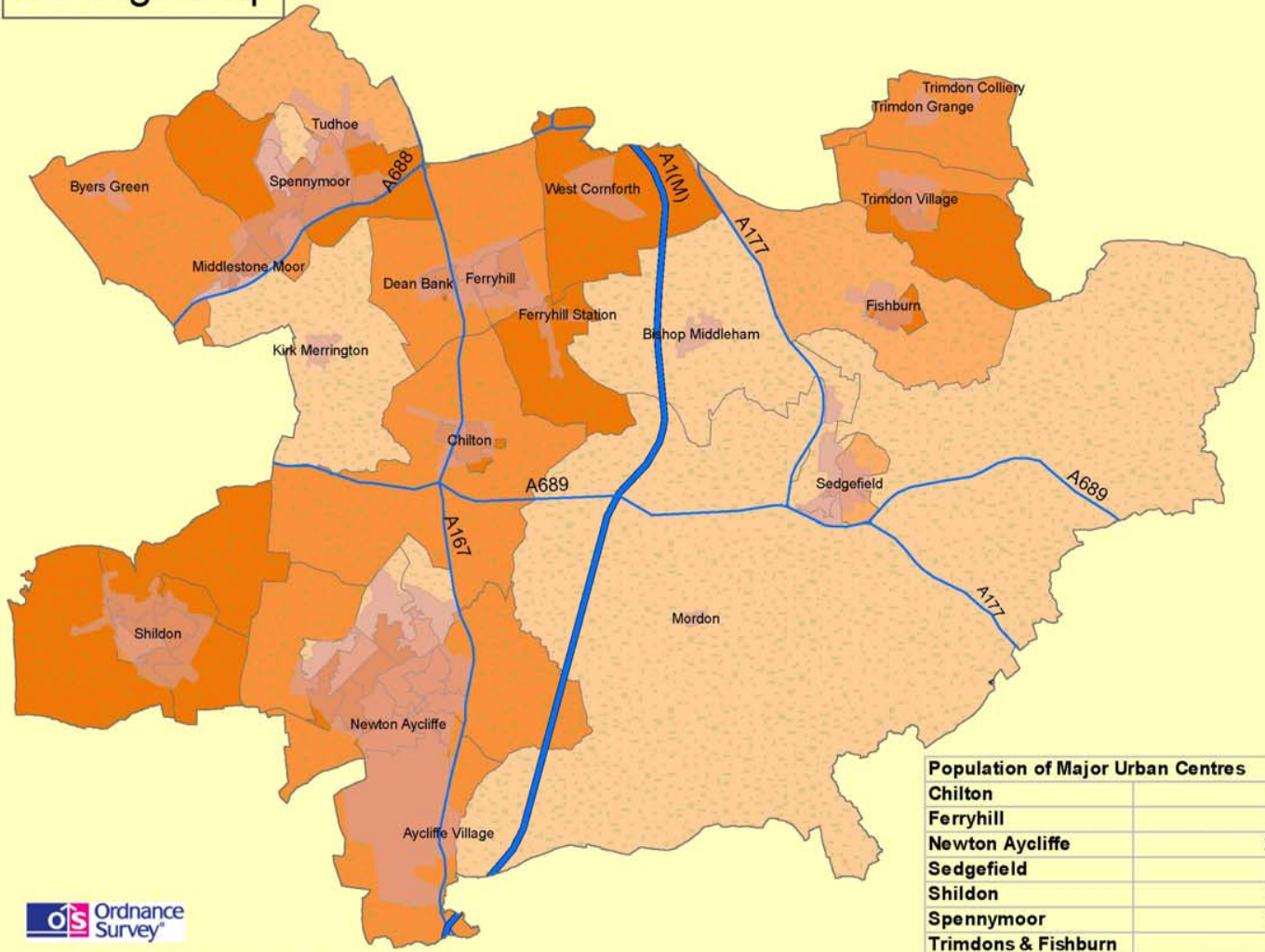
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# Borough Map



Population of Major Urban Centres	
<b>Chilton</b>	5184
<b>Ferryhill</b>	9602
<b>Newton Aycliffe</b>	22003
<b>Sedgefield</b>	4943
<b>Shildon</b>	10495
<b>Spennymoor</b>	19149
<b>Trimdons &amp; Fishburn</b>	7364
<b>West Cornforth</b>	3744

**Legend**

Indices of Deprivation 2004  
Rank % most deprived SOA

- within 20%
- within 20-40%
- within 40-60%
- within 60-80%
- within 80-100%
- urban centres
- rural areas



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## **1. Licensing Objectives**

1.1 This Statement of Principles (Statement) is intended to meet the Council's obligations under Section 349 of the Gambling Act 2005 (referred to in this Statement as "the Act").

1.2 The Gambling Act 2005 requires that the Licensing Authority carry 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 conducted in a fair and open way; and**
- 3). Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

## **2. Types of Licence**

2.1 The Statement of Principles sets out the policy that the Council will apply when making decisions upon applications or notifications in respect of:

- Premises Licences;
- Temporary Use Notices;
- Occasional Use Notices;
- Permits as required under the Act; and
- Registrations as required under the Act

## **3. Licensable Premises and Permits**

3.1 The licensable premises, notices, permits and registrations identified as falling within the provisions of the Act are as follows: -

- Casinos;
- Bingo Premises;
- Betting Premises;
- Tracks;
- Adult Gaming Centres;
- Licensed Family Entertainment Centres;
- Unlicensed Family Entertainment Centres;
- Club Gaming and Club Machine Permits;
- Prize Gaming and Prize Gaming Permits;
- Occasional Use Notices;
- Temporary Use Notices; and
- Registrations of small society lotteries.

#### **4. Introduction**

4.1 Sedgefield Borough has a resident population of 87,271 people and covers an area of some 21,700 hectares. The Borough is one of 7 local authorities in County Durham and is a mixture of urban and rural areas. It includes historic villages and small towns. The East of the Borough is generally rural in character, giving way further north to the villages on the old Durham coalfield. The West is more densely populated with the towns of Shildon (pop:10,495), Spennymoor (pop:19,149), Newton Aycliffe (pop: 26,725) and Ferryhill (pop: 9602) concentrated within a few miles of each other. These provide the main focus for employment, shopping and leisure. Attention has been focussed on these communities through area renewal programmes to help sustain these traditional residential areas and help provide balanced housing markets across the Borough.

4.2 The Council has adopted the Community Strategy's ambitions relating *"to creating a healthy, prosperous, attractive borough with strong communities"* and has recognised the importance of linking its future strategic objectives to these aims together with priorities that relate to community needs and aspirations. It is expected that the implementation of this policy will contribute significantly to the Council's key ambitions.

4.3 Sedgefield Borough Council will become the Licensing Authority under the Gambling Act 2005.

4.4 Licensing authorities are required by the Gambling Act 2005 to publish a Statement of Principles which they propose to apply when exercising their functions. This statement will come into force on the 31<sup>st</sup> January 2007 and will have effect until 30<sup>th</sup> January 2010. The statement must be reviewed and published at least every three years.

4.5 The Statement has been prepared having regard to the provisions of the Gambling Act, guidance issued by the Gambling Commission and Local Authorities Coordinators of Regulatory Services (LACORS) as well as responses received during the 12 week public consultation process.

4.6 The Statement will not override the right of any person to make an application under the Act and to have the application considered on its merits.

4.7 The Council reserves the right to amend this Statement should it be necessary to do so following Regulations issued by the Secretary of State or further Guidance from the Gambling Commission.

#### **5 Consultation**

5.1 The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police;

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- 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.

5.2 The list of those persons consulted is as follows:

- Durham Constabulary;
- Durham and Darlington Fire and Rescue Service;
- Safeguarding Children Board Durham County Council
- Elected Members, Sedgefield Borough Council
- Director of Neighbourhood Services Sedgefield Borough Council:
- Sedgefield Community Safety Partnership;
- Director of Public Health
- Representatives of the holders of the various licences for premises in the Borough who will be affected by this policy;
- Parish and Town Councils throughout Sedgefield Borough
- Persons and businesses likely to be affected by authorised gambling within the Borough
- HM Revenues and Customs
- Association of British Bookmakers
- British Casino Association
- Bingo Association
- Working Mens Club & Institute
- Gamcare
- Gamblers Anonymous
- Licensed Victuallers Association
- Responsibility in Gambling Trust
- William Hill
- Ladbrokes
- Coral
- Local Bookmakers including Reuben Page
- Top Ten Bingo Limited

The policy was approved at a meeting of the full Council on the 24<sup>th</sup> November 2006 and was published via the Council's website. Copies were placed in the public libraries in the Borough as well as being available at the Sedgefield Borough Council Offices, Spennymoor County Durham DL16 6JQ.

**6. Responsible Authorities:**

6.1 For the purposes of the Gambling Act 2005, the following are Responsible Authorities in relation to premises:

- The Licensing Authority (Sedgefield Borough Council)
- The Gambling Commission
- Durham Constabulary
- Durham and Darlington Fire & Rescue Service
- Head of Planning Services Sedgefield Borough Council
- Head of Environmental Services, Sedgefield Borough Council in relation to pollution of the environment or harm to human health;
- Durham County Council Local Safeguarding Children Board
- HM Revenues and Customs

6.2 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 Local 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 and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

The Licensing Authority has therefore designated the Durham County Council Local Safeguarding Children Board as the competent authority to provide advice on the protection of children from harm. The Durham County Council Local Safeguarding Children Board operates throughout County Durham, and is considered to have the specialist knowledge and expertise to fulfil this role.

**7. Interested Parties:**

7.1 Interested parties can make representations regarding licence applications, or apply for a review of an existing licence.

7.2 For the purposes of the Gambling Act 2005, an interested party should in the opinion of the Licensing Authority:

- Live sufficiently close to the premises to be likely to be affected by the authorised activities;
- Have business interests that might be affected by the authorised activities. Charities and medical practices are included in this definition.
- Represent persons who satisfy either of the above; for example Residents' and Tenants' Associations.



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7.3 When considering whether a person is an interested party, each case will be judged on its merits taking into consideration the relevant circumstances, including those contained in the Gambling Commission's Guidance to Local Authorities.

7.4 Interested parties can include trade associations, and residents / tenants' associations, providing that they can show they represent someone who would be classed as an interested party in their own right. Councillors and MPs may also be interested parties as long as they represent the Ward likely to be affected and providing they do not also sit on the Licensing sub-committee determining the application in question. Town and Parish Councils are also considered to be interested parties. 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.

7.5 In determining whether someone lives sufficiently close to a particular premises or has business interests that are likely to be affected by the authorised activities the Licensing Authority may take account of.

- the size of the premises
- the nature of the premises
- the nature of the authorised activities being proposed
- the distance of the premises from the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment).

## **8. Exchange of Information**

8.1 In fulfilling its functions and obligations under sections 29, 30, 350 and Schedule 6 of the Gambling Act 2005 the Licensing Authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information the Licensing Authority will conform to the requirements of the Gambling Act, data protection and freedom of information legislation in accordance with the Council's existing policies and will make these protocols available.

8.2 Contact details of those persons making representations and details of the 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 representation or applying for a review of a premises licence will be informed that these details will be disclosed.

## **9. Enforcement**

9.1 The Council is a signatory to the Enforcement Concordat and will follow the principles set out in it. Any enforcement action will therefore endeavour to be:

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- *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;
- *Targeted*: Regulation should be focused on the problem, and minimise side effects.

9.2 The Council's Enforcement and Prosecution Policy will be taken into account when considering any enforcement action. A graduated response will be taken where offences against legislation are found or where licence conditions have been contravened. The Licensing Authority will avoid duplication with other regulatory regimes so far as possible and will only consider matters within the scope of the Guidance, Act and Codes of Practice.

9.3 The Licensing Authority intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they comply with the specific requirements of the Act and any licence conditions.

9.4 The Licensing Authority will seek to work actively with the Police in enforcing licensing legislation and intends to establish protocols with Responsible Authorities.

9.5 Premises will be subject to a scheme of routine inspection, the frequency of which will be determined by the risks posed by the premises i.e. those premises considered to pose a greater risk will be subject to more frequent inspections than those posing a lower risk.

9.6 When determining risk, consideration will be given to any risk model recommended by LACORS and the Gambling Commission.

9.7 Random monitoring visits will also be made, at the discretion of the licensing team, where it is considered necessary to meet the needs of the licensing objective or following receipt of a complaint. The Borough will be monitored for unlicensed premises.

9.8 The Licensing Authority will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants will be advised to raise the complaint directly with the licensee or business concerned to seek a local

resolution.

9.9 Where an interested party has made valid representations about a licensed premises, or a valid application for a licence to be reviewed, the Licensing Authority will initially recommend a conciliation meeting to address and clarify the issues of concern and to attempt to agree a solution.

9.10 This process will not override the right of any interested party to ask that the licensing committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

## **10 Licensing Authority Functions**

10.1 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 of Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issuing Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and Endorse Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission regarding details of licences issued (see section above on 'exchange of information')
- Maintaining registers of the licences, permits and registrations.

10.2 The Licensing Authority will not be involved in licensing:

- Remote gambling, this is regulated by the Gambling Commission via operating licences.
- Spread betting, this is regulated by The Financial Services Authority and the
- National Lottery, this is regulated by The National Lottery Commission.

## **11 Premises Licences - General Principles**

11.1 Nothing in this 'Statement' will:

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- Undermine the rights of any person to apply under the Gambling Act for a variety of permissions and have the application considered on its individual merits; or
- Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.

11.2 Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and associated regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State.

11.3 In making decisions about premises licences the Licensing Authority should aim to permit the use of premises for gambling in so far as it thinks they are:

- 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 Statement of Principles.

11.4 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.

11.5 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions. Many of the decisions and functions will for example be purely administrative in nature and the grant of non-contentious applications, including for example, those licences and permits where no representations have been made, will be delegated to Council Officers.

11.6 The Table shown at Appendix A sets out the delegation of decisions and functions to Licensing Committee and Officers.

11.7 A licensing sub committee of three elected members will normally sit to hear applications where representations have been received from interested parties and responsible authorities. Elected members will not sit on a panel involving an application connected with their ward.

11.8 Where a Councillor who is a member of the licensing committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.

11.9 The licensing sub committee will refer to the licensing committee any matter it is unable to deal with e.g. where there are insufficient members at a

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hearing to consider, discuss and determine an application for a premises licence.

11.10 The licensing committee will refer to the full Council any matter it is unable to deal with e.g. where there are insufficient members at a hearing to consider, discuss and determine an application for a premises licence.

11.11 Every determination of a licensing decision by the licensing committee or a licensing sub committee shall be accompanied with clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable. A copy of the decision will be retained on the licensing register which is required to be kept by the Licensing Authority.

11.12 The Council's licensing officers will process all licence applications including those where representations have been received and it is agreed by the parties that a hearing is not necessary.

11.13 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council officers, who will also decide whether representations or applications for licence reviews should be referred to the licensing committee or panels. Where representations are rejected, the person making that representation will be given written reasons as to why that is the case.

11.14 The Licensing Authority appreciates 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".

11.15 The Licensing Authority does not consider that need (i.e. the commercial demand for gambling facilities), or competition between rival operators are relevant to its functions under the Act.

## **12 Premises**

12.1 Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.

12.2 The Licensing Authority takes particular note of the Gambling Commission's Guidance for local authorities and in particular their view that that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

12.3 The Licensing Authority will 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 the Authority will 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.

12.4 The Licensing Authority will 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 the authority will 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. 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.

12.5 Applicants will be unable to obtain a full premises licence until the premises in which it is proposed to offer the gambling are fully constructed. The Gambling Commission advises that the reference to "the premises" relates to premises in which gambling currently takes place. Therefore a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. The Licensing Authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a standard that they can be considered for a premises licence. In requiring the building to be complete ensures that the licensing authority can, if necessary, inspect it fully, as can other responsible authorities.

### **13 Location**

13.1 The 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. In accordance with the Gambling Commission's Guidance for local authorities, the Licensing 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 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 potential concerns can be overcome.

### **14 Duplication with other regulatory regimes**

14.1 The Licensing Authority will seek where possible to avoid any duplication with other statutory / regulatory systems, including planning. The Licensing Authority will not take into consideration whether an application is likely to be awarded planning permission or building regulations approval. It

will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

## **15 LICENSING OBJECTIVES**

15.1 Premises licences granted must be reasonably consistent with the licensing objectives. The following should therefore be taken into account when considering applications:

### **15.2 Objective 1.**

#### **Preventing gambling from being a source of crime and disorder**

15.3 The Gambling commission will take a lead role in preventing gambling from being a source of crime

15.4 The Licensing Authority will, when determining applications, consider the location of gambling premises and whether the grant of a premises licence will result in an increase in crime and disorder.

15.5 Where an area has known high levels of crime the Licensing Authority will give careful consideration as to whether gambling premises are suitable to be located there and whether conditions such as the provision of door supervisors should be imposed.

15.6 The Gambling Commission Guidance for local authorities states that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.” There is not a clear line between nuisance and disorder and the Council’s licensing officers will therefore consult the Council’s solicitors before determining what action to take in circumstances in which disorder may be a factor.

15.7 Applicants are encouraged to discuss any crime prevention procedures in their premises with the Licensing Authority and/or Durham Constabulary before making a formal application.

15.8 In considering licence applications the Licensing Authority will take into account the following:

- the design and layout of the premises,
- the training given to staff in crime prevention measures appropriate to those premises;

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- any 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;
- where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;
- the likelihood of any violence, public order or policing problem if the licence is granted.

### **15.9 Ensuring that gambling is conducted in a fair and open way objective**

15.10 The Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the Operating Licence issued by the Commission, or will be in relation to the suitability and actions of an individual and therefore subject to the Personal Licence which is also issued by the Gambling Commission.

15.11 Because betting track operators do not need an operating licence from the Commission the Licensing Authority may, in certain circumstances, require conditions on the premises licence relating to the suitability of the environment in which betting takes place.

### **15.12 The Protection of Children and other Vulnerable Persons Objective**

15.13 With limited exceptions, the access of children and young persons to those gambling premises, which are adult only environments, will not be permitted.

15.14 Children (defined in the Act as under 16s) and young persons (16-17s) may take part in private and non-commercial betting and gaming but the Act contains a number of restrictions on the circumstances in which they may participate in gambling or be on premises where gambling is taking place. An adult is defined as 18 and over. In summary:

- betting shops cannot admit anyone under 18
- bingo clubs may admit those under 18 but must have policies to ensure they do not gamble, except on category D machines
- Adult Entertainment Centres cannot admit those under 18
- Family Entertainment Centres and premises with an alcohol premises licence such as pubs) can admit under-18s, but they may not play category C machines which are restricted to those over 18



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- Clubs with a Club Premises Certificate can admit under-18s, but they must have policies to ensure those under 18 do not play machines other than category D machines
- Horse racing and dog racing tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.

15.15 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.

15.16 The Licensing Authority will consult with the Local Safeguarding Children Board on any application that indicates there may be concerns over access for children or vulnerable persons.

15.17 The Licensing Authority will judge 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:

- Supervision of entrances;
- Clearly displayed signage relating to age restrictions
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises such as pubs, clubs, betting tracks etc.
- The Gambling Act provides for a Code of Practice on access to casino premises by children and young persons and in the event of a casino being established the Licensing Authority will work closely with the police to ensure the appropriate enforcement of the law.

15.18 With regard to Vulnerable Persons the Licensing Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children but it will assume, for regulatory purposes, that 'vulnerable persons' includes :

- people who gamble more than they want to;
- people who gamble beyond their means; and
- people who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

Vulnerable persons can include those that have gambling addictions and those vulnerable in other ways including those who are cared for by Adult Social Services.

15.19 Licensees should consider the provision of information such as posters, leaflets and telephone helpline numbers for organisations such as GamCare in the premises. GamCare is a registered charity that has a commitment to promote responsible attitudes to gambling and to work for the provision of proper

care for those who have been harmed by gambling dependency.  
([www.gamcare.org.uk](http://www.gamcare.org.uk)).

15.20 The Licensing Authority will consider this licensing objective on a case by case basis

## **16 Applications**

16.1 An application for a Premise Licence can only be made by a person who either holds an Operating Licence authorising him to carry out the activity in respect of which a Premises Licence is sought, or has made an application for an Operating Licence which has not been determined.

16.2 Applications for the grant, transfer or variation of a premises licence must be in accordance with any Regulations made by the Secretary of State. The Licensing Authority will provide separate advice for applicants.

## **17 Conditions**

17.1 Conditions will be applied to licences that are 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 aspects

17.2 The Licensing Authority will principally draw upon the advice issued by the Gambling Commission and attach conditions relative to the given circumstances of each individual case.

17.3 Conditions will only be considered where they are needed to meet the requirements of the licensing objectives and any conditions applied will not be overly onerous and will be proportionate to the scale of the application and the 'risks' involved. Conditions will generally be considered unnecessary if the matters in question are already adequately covered by other legislation.

17.4 When determining an application to grant a premises licence or whether to review a premises licence, regard will be taken regarding the proximity of the premises to schools, vulnerable adult centres and residential areas particularly those that can be shown to have with a high concentration of families with children. The proximity of premises etc. taken into consideration will vary depending upon the size and scope of the gambling premises concerned. Each case will, however, be determined on its merits. Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

17.5 Conditions will be attached to licences that will cover matters that are within the control of individual licensees.

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17.6 When considering any conditions to be attached to licences, the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The Secretary of State may, by regulation, provide for specific conditions to be attached to a Premises Licence as either “mandatory” or “default” conditions. In determining an application, the Licensing Authority may not have regard to the expected demand for the facilities which it is proposed to provide.

17.7 The Licensing Authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur in relation to licensed premises, including:

- Planning controls;
- Ongoing measures to create a safe and clean environment in these areas, in partnership with local businesses, transport operators and other Council Departments;
- Regular liaison with the Police and the Council’s Community Safety Section on law enforcement issues regarding disorder and anti-social behaviour;
- The power of the police, other responsible authorities, local residents and businesses to seek a review of the licence.

17.8 Representations submitted to the Licensing Authority will be required to relate to one or more of the Licensing Objectives, before being considered by the Licensing Authority.

17.9 Any person, whether or not directly affected by an application or living in the vicinity of a licensable premises, who puts themselves forward as representing the interests of residents or businesses, will normally be required by the Licensing Authority to provide evidence that they are acting on their behalf.

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

17.11 The Licensing Authority will require 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;

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- 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.

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

17.13 The 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, the 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 which they are not permitted to enter.

17.14 There are conditions which the Licensing Authority cannot attach to Premises Licences these are as follows:

- any condition which makes it impossible to comply with an operating licence condition imposed by the Gambling Commission;
- 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;
- conditions in relation to stakes, fees, winnings or prizes.

## **18 Licensing Reviews**

18.1 The Council will carry out a review of a premises licence where it has received a formal application for review in accordance with the Act that is relevant to one or more of the licensing objectives. The following activities are likely to be the basis upon which applications for review and representations are based :

- Use of licensed premises for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crimes;
- Use of licensed premises for the sale and distribution of illegal firearms;
- Use of licensed premises for prostitution or the sale of unlawful pornography;
- Use of licensed premises as a base for organised criminal activity;
- Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;

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- Use of licensed premises for the sale of smuggled tobacco or goods;
- The use of licensed premises for the sale of stolen goods.
- Children and/or vulnerable persons are put at risk

18.2 Due consideration will be given to all relevant representations unless they fit the following:

- the grounds are frivolous;
- the grounds are vexatious;
- the grounds are irrelevant;
- the grounds will not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the Premises Licence;
- the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
- the grounds are substantially the same as representations made at the time the application for a Premises Licence was considered.

18.3 Where an interested party has made valid representations about licensed premises, or a valid application for a licence to be reviewed, the Council will initially recommend a conciliation meeting to address and clarify the issues of concern and to seek a solution.

18.4 The Licensing Authority may itself initiate a review of a Premises Licence.

### **19 Door Supervisors**

19.1 The Gambling Commission advises in its Guidance that Licensing Authorities may consider whether there is a need for door supervisors in terms of the licensing objectives relating to the 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.

19.2 The Gambling Act 2005 has amended the Security Industry Act (S.I.A.). Door supervisors at casinos and bingo premises will need to be licensed by the SIA if they carry-out functions falling under Schedule 2 Part1 of the Private Security Industry Act 2001 if they are contract staff, but will not need to be licensed if they are in house staff.

19.3 The Licensing Authority will therefore require that in appropriate cases specific requirements will be introduced for in house staff working at casinos or bingo premises who carry out functions set out in Schedule 2 Part1 of the Private Security Industry Act 2001. In such circumstances Casinos and Bingo premises will be required to maintain a record of the identity of the doorstaff employed, the time they commenced and left duty, any incidents that they dealt with, and such a book shall be maintained and available for inspection

for a period of 3 months from the date of the record entry. This is in recognition of the nature of the work in terms of searching individuals and dealing with potentially aggressive, young and vulnerable persons, etc.

19.4 For premises other than casinos and bingo premises, premises operators and the Licensing Authority may decide that supervision of entrances / exits /gaming machine areas is appropriate for particular cases. Each case will have to be considered to establish whether door supervision is both necessary and proportionate and whether such supervisors need to be S.I.A. licensed.

## **20 Adult Gaming Centre**

20.1 Adult gaming centres (AGCs) are a new category of premises introduced by the Act. Persons operating an AGC must hold a gaming machines general operating licence from the Commission and must seek a premises licence from the Licensing Authority.

20.2 No-one under the age of 18 is permitted to enter an AGC. This Authority will have particular regard to the location of and entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised and an AGC is in a complex, such as a shopping centre.

20.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives to 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.

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

## **21 (Licensed) Family Entertainment Centre**

21.1 The Act creates two classes of family entertainment centre (FEC). Licensed FECs, which provide category C and D machines require a Premises Licence. Unlicensed FECs provide category D machines only and are regulated through FEC gaming machine permits. Any number of category D machines can be made available with such a permit (subject to other considerations, such as fire regulations and health and safety, which will not be issues for the Licensing Authority under the Gambling Act).

21.2 Children will not be permitted to play on category C machines, and it will be a requirement that there must be clear segregation between the two types of machine, so that children do not have access to category C machines.

21.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. In appropriate and specific cases, measures / licence conditions should 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.

## **22 Casinos**

22.1 There are currently no casinos operating within the Borough and the Council has not passed a resolution to prohibit casinos operating in the Borough. The Council reserves the right to review this situation and may, at some time in the future in accordance with section 166 of the Act resolve not to permit casinos in the Borough. Any such decision will be made by Full Council.

## **23 Bingo Premises**

23.1 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 Licensing Authority will require:

- 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.

23.2 The Licensing Authority is 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 guidance will be considered by this Licensing Authority once it is made available.

23.3 The Licensing Authority notes that Automatic teller machines (ATM) which enables persons to access their bank account in order to make withdrawals are permissible in casinos and bingo premises subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service provider and does not profit from the arrangement, nor make any payment in connection with the machines.

## **24 Betting Premises**

24.1 The Gambling Act contains a single class of licence for betting premises. However, within this single class of licence, there will be different types of premises which require licensing.

24.2 The Gambling Act also permits betting intermediaries to operate from premises, although betting intermediaries usually offer their services via remote communication, such as the Internet. In principle, however, there is nothing to prevent a betting intermediary applying for a betting premises licence to offer intermediary services upon the premises.

24.3 The Licensing Authority is aware of its power to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.

24.4 In the event that the Licensing Authority considers whether to impose such a condition on any particular licence it may, among other things, 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 or by vulnerable persons. The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. The Authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

24.5 The Licensing Authority will give sympathetic consideration to betting premises being enlarged or resited within the Borough in order to enhance the quality of the facilities provided for the benefit of the betting public. The Licensing Authority will also take into account the needs of persons living and working within the vicinity of such premises.

24.6 The Licensing Authority recognises that certain bookmakers have more than one premises within the Borough. In order to ensure that any compliance issues are recognised and resolved at the earliest stage,



operators are requested to give the Licensing Authority a single named point of contact, who should be a senior individual and whom the Licensing Authority will contact first should any compliance queries or issues arise.

## **25 Tracks**

25.1 Tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, the Licensing Authority will 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.

25.2 The Licensing 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. 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.

25.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. In appropriate and specific cases measures / licence conditions should 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.

25.4 Gaming Machines - Further guidance from the Gambling Commission is awaited as regards where Gaming 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. The Licensing Authority will 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 where children are excluded. Children and young persons are not prohibited from playing category D gaming machines at a track.

25.5 Betting Machines - The 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

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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.

25.6 The Licensing Authority will take into account when considering limiting the number of machines whether there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. In such cases the Licensing Authority will take into account the ability of staff to monitor the use of such machines from the counter.

25.7 Condition on rules being displayed - The Licensing Authority may 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.

25.8 Applications and Plans - The Licensing Authority awaits regulations setting-out any specific requirements for applications for premises licences but is in accordance with the Gambling Commission's guidance 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".

25.9 The 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.

25.10 The Licensing Authority will take into account any specific advice produced by the Gambling Commission and the Department of Culture Media and Sport relating to Tracks including the licensing of self contained premises which are operated by off-course betting operators.

## **26 Travelling Fairs**

26.1 The Licensing Authority will require, 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.

26.2 The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair i.e. “wholly or principally” providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. This is regardless of whether it is the same or different travelling fairs occupying the land.

26.3 The Licensing Authority will work with its neighbouring authorities to ensure that any land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **27 Provisional Statements**

27.1 Section 204 of the Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that are expected to be constructed, altered or which are expected to acquire a right to occupy.

27.2 When the premises are constructed, altered or acquired the holder of a provisional statement can return to the Licensing Authority and submit an application for the necessary premises licence. The 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 could, if necessary, inspect it fully”.

27.3 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 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 is in the Licensing Authority’s opinion reflect a change in the operator’s circumstances.

27.4 The Licensing Authority will not take into account irrelevant matters i.e. those not related to gambling and the licensing objectives. An example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal. The issue of a Provisional Grant of a premises licence is a separate and distinct process to the granting of Planning Permission. Planning and Building Control permissions will have to be sought and approved before any development takes place.

27.5 When dealing with a premises licence application for a finished building the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents.

## **28 Permits/Temporary and Occasional Use Notice**

### **Unlicensed Family Entertainment Centre gaming machine permits**

28.1 Family entertainment centres (FECs) are most commonly located at seaside resorts, in airports and at motorway service centres, and cater for families, including unaccompanied children and young persons.

28.2 Unlicensed FECs will be able to offer only category D machines in reliance on a gaming machine permit. Any number of category D machines can be made available with such a permit. Permits cannot be issued to vessels or vehicles.

28.3 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a 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 as required by Section 238 of the Gambling Act.

28.4 An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and if the Chief Officer of Police has been consulted on the application. Relevant considerations to take into account would be the applicant's suitability ie that the applicant has no relevant convictions that would make them unsuitable to operate a family entertainment centre, the suitability of the premises in relation to their location and issues about disorder and that staff are trained and have a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;

28.5 The 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 be considered on their merits and may include such measures as:

- CRB checks for staff
- The applicant has no convictions
- Staff training in how to deal with suspected truant school children, or unsupervised, very young children on the premises, or children causing perceived problems on or around the premises
- That applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's.

## **29 Alcohol Licensed Premises**

29.1 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 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.

29.2 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 are relevant.”

29.3 The 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 being harmed or being exploited by gambling and will expect the applicant to satisfy the Licensing Authority that there will be sufficient measures to ensure that persons under 18 year olds do not have access to the adult only gaming machines.

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

29.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Application would therefore need to be made for an Adult Gaming Centre Premises Licence.

29.6 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.

29.7 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.

29.8 The Licensing Authority will be unable to issue premises licences to authorise gaming machines in certain types of premises. These generally will be premises to which children and vulnerable people will have unrestricted access and would include take-away premises, taxi offices and supermarkets.

### **30 Prize Gaming & Prize Gaming Permits**

30.1 Gaming is defined as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.

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

30.3 An application for a permit can only be made by a person who occupies or plans to occupy the relevant premises and if the applicant is an individual, he must be aged 18 or over. An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises. The application must be made to the Licensing Authority in whose area the premises are wholly or partly situated.

30.4 Conditions which permit holders must comply are contained within the Gambling Act 2005. These are as follows;

- 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 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 gaming.

### **31 Club Gaming and Club Machines Permits**

31.1 The Licensing Authority may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming and games of chance as prescribed in regulations.

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31.2 Gambling Commission Guidance 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. 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.

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

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

31.4 Club gaming permits allow the provision of no more than three gaming machines. These may be from categories B, C or D. The club is permitted to choose the combination of machines on its premises. The Licensing Authority may grant or refuse a permit, but it may not attach any conditions to a permit.

### **32 Temporary Use Notices**

32.1 These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice would include hotels, conference centres, and sporting venues.

32.2 A temporary use notice may only be granted to a person or company holding a relevant operating licence. For example, the holder of a betting operating licence could apply to provide betting facilities at a snooker tournament.

32.3 The Secretary of State will prescribe in regulations the gambling activities that may be specified in a temporary use notice as well as combinations of activities that may not be specified, and activities that may not be combined with any other.

### **33 Occasional Use Notices**

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

### **34 Registration of Small Society Lotteries**

34.1 In carrying out its functions in relation to Lotteries the Authority will have regard to the Act, the guidance issued by the Gambling Commission from time to time and any Regulations issued by the Secretary of State.

### **35 Further Information**

35.1 Guidance and advisory fact sheets relating to a range of issues including Transitional Arrangements, the application process, hearings etc will be developed in due course by the Licensing Authority and made available on the Council's website. In the meantime further information relating to the Gambling Act 2005 and this Statement of Principles can be obtained from:

Inspection and Licensing Services Manager  
Neighbourhood Services Department  
Sedgefield Borough  
Council Offices  
Spennymoor  
County Durham  
DL16 6JQ.

Tel: 01388 816166  
Fax: 01388 817052  
E-mail: [nsmalley@sedgefield.gov.uk](mailto:nsmalley@sedgefield.gov.uk)  
Website: [www.sedgefield.gov.uk](http://www.sedgefield.gov.uk)

Information is also available from the  
Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP.  
Tel: 0121 – 230 6500  
Fax: 0121 233 1096  
Website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Department for Culture Media and Sport  
2-4 Cockspur Street  
London  
SW1Y 5DH Tel: Enquiries 020 7211 620  
Website: [www.culture.gov.uk](http://www.culture.gov.uk)



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TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

**Appendix A**

Function	Full Council	Sub - Committee	Officer
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no 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	
Determination as to whether a person is an Interested Party			X
Determination as to whether representations are relevant			X
Determination as whether a representation is frivolous, vexatious or repetitive			X

**Contact Details for Responsible Authorities**

Sedgefield Borough Council (for purposes of pollution of the environment or  
Council Offices harm to human health pollution and planning )  
Spennymoor  
County Durham  
DL16 6JQ

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP.

Durham Constabulary  
Police Headquarters  
Aykley Heads  
Durham  
DH1 5TT

County Durham and Darlington Fire and Rescue Service  
Fire and Rescue Service Headquarters  
Framwellgate Moor  
Durham  
DH1 5JR

Local Safeguarding Children Board  
Durham County Council  
County Hall  
Durham  
DH1 5UG

HM Customs & Excise  
HM Revenue & Customs  
National Registration Unit  
Portcullis House  
21 India Street  
Glasgow  
G2 4PZ