

MAU13343



LICENSING DEPARTMENT

11 OCT 2019

BOLTON COUNCIL

Highgate Cottage

Bryning Lane

Newton with Scales

Preston

PR4 3RL

[di@dianafreeman.co.uk](mailto:di@dianafreeman.co.uk)

The Licensing Team

Bolton Council

Ground Floor

Town Hall

Victoria Square

Bolton

BL1 1RU

10/10/19

Dear Sir/Madam

Please find enclosed an application for 3 gaming machines

Yours sincerely

  
Diana Freeman

07986 793141

**GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:  
CONVERSION / NEW / VARIATION / TRANSFER**

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

*Please refer to guidance notes at the back of this form before completing*

LICENSING DEPARTMENT  
  
**11 OCT 2019**  
  
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**SECTION A – What do you want to do?**

1. Please indicate what you would like to do

- a) **Notify** licensing authority that you intend to provide up to a maximum total of 2 gaming machines category C and / or D  
(if you choose this option then please complete sections D and E)
- b) Apply to **convert** an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit (i.e. for more than 2 gaming machines)  
(if you choose this option then please complete sections B, D and E) ☐
- c) Apply for a **new** licensed premises gaming machine permit  
(if you choose this option then please complete sections B, D and E) **X**
- d) Apply to **vary** an existing licensed premises gaming machine permit  
(if you choose this option then please complete sections B, D and E) ☐
- e) Apply to **transfer** an existing licensed premises gaming machine permit  
(if you choose this option then please complete sections C, D and E) ☐

**SECTION B – Application for grant (includes conversion, new and variation applications)**

2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provide? (please complete the boxes in the table)

Category machine	Number currently authorised to provide	Number wish to provide (new or variation)
C	...2	.....3
D	.....	.....
Total	...2...	.....3

3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided.

Existing permit provided\*

(reasons why existing permit cannot be provided) .....

.....

.....

\*Please keep a copy of your existing permit on the premises to which it relates.

**NOTIFICATION OF 2 OR LESS GAMING MACHINES or**

**GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:  
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**Section C – Application for permit transfer (i.e. where a transfer has been requested for the Licensing Act 2003 premises licence)**

4. Name of person requesting the transfer

.....

5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:

Requested ☐

Granted ☐

6. Please provide your existing permit, or provide reasons stating why it cannot be provided

Existing permit provided ☐

Reasons why existing permit cannot be provided

.....

.....

**Section D – General Information**

7. Name of Premises.....Northern Way.....

8. Address of Premises.....UNIT 4 NELSON SQUARE, BOLTON, BL1 1JT

9. Telephone number of Premises.....

10. Name of existing Premises Licence holder ...AMBER TAVERNS LTD.....

11. Address of Premises Licence holder (if different from 8 above)

.....VICTORY OFFICES, 112 VICTORY ROAD, BLACKPOOL FY1 3NW

.....

.....

12. Telephone number (daytime) of Premises Licence holder .....07986 793141

.....

13. E-mail address of Premises Licence holder (where available)

.....di@dianafreeman.co.uk.....

14. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant

.....DIANA FREEMAN. AMBER TAVERNS LTD, HIGHGATE COTTAGE, BRYNING LANE, NEWTON WITH SCALES, PRESTON PR4 3RL..

.....

.....

15. Licensing Act 2003 Premises Licence Reference (i.e. number)

.....119429.....

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**Section E – Fee and Signature(s)**

I enclose a sum of (£150)\* (cheques should be made payable to I.) **X**

***I understand that I must comply with the Gaming Machine Code of Practice for Alcohol Licensed Premise Permits and Permissions issued by the Gambling Commission. (see guidance note 8)***

**Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.**

Dated .....10/10/19.....

Signed (by or on behalf of Licensing Act 2003 Premises Licence holder).....

Print Name.....DIANA FREEMAN.....

\* If you wish to have a maximum of 2 gaming machines then the fee payable is £50. If you wish to have more than 2 gaming machines then the fee payable is £x.

**Official Use Only**

Date of receipt: .....

Signature and name of staff who received: .....

Date of receipt of fee: .....

Signature and name of staff who received fee: .....

Application accepted / returned (please delete as appropriate)

Date of premises licence (Licensing Act 2003) transfer (if applicable): .....

**NOTIFICATION OF 2 OR LESS GAMING MACHINES or**  
**GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:**  
**CONVERSION / NEW / VARIATION / TRANSFER**

**Guidance notes:**

1. This form is to be used for the **notification of up to 2 gaming machines** of categories C and / or D under Section 282 of the Gambling Act 2005, or for the **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
2. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
3. The gaming machines must be located on these licensed premises.
4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
5. There is no statutory limit to the number of machines which may be applied for although the licensing authority has some discretion in this regard. It should also be noted that the licensing authority can cancel the permit or vary the number of machines should the premises be mainly used for making gaming machines available for use on the premises (Schedule 13 paragraph 16 Gambling Act 2005). You may therefore wish to contact the licensing authority to ask whether there is a local policy as regards applications and whether application for certain numbers of machines are decided via a hearing of local councillors.
6. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable by ..... and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £x. There are no annual fees payable for 2 machines or less.
7. Sections 282 and 283, as well as SI 2007 / ..... of the Gambling Act 2005 provide for two types of gaming machines which can be located in alcohol licensed premises. These are:
  - Category C: Maximum stake = 50p / Maximum prize = £35
  - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
8. **All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005.** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission or your local Council licensing service.
9. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.
10. Where you are notifying the local licensing authority of 2 machines or less, you may wish to request an acknowledgement of receipt of the notification. The form attached to this application can be utilised for this purpose.

**REQUEST FOR ACKNOWLEDGMENT OF RECEIPT OF MY NOTIFICATION OF 2 OR  
LESS GAMING MACHINES**

I, AMBER TAVERNS LTD.....(*insert name of the Licensing Act 2003 licence holder*),  
request that this paper is returned to me at the following address and with the details below  
provided by the local licensing authority, so as to acknowledge my notification of 4 or less gaming  
machines at.....Northern Way (Bolton).....(*insert name of premises*).

Insert address to which you wish this acknowledgement to be sent:

DIANA FREEMAN  
AMBER TAVERNS  
HIGHGATE COTTAGE  
BRYNING LANE  
NEWTON-WITH SCALES  
PRESTON  
PR4 3RL

**Official Use Only (to be completed by the local licensing authority)**

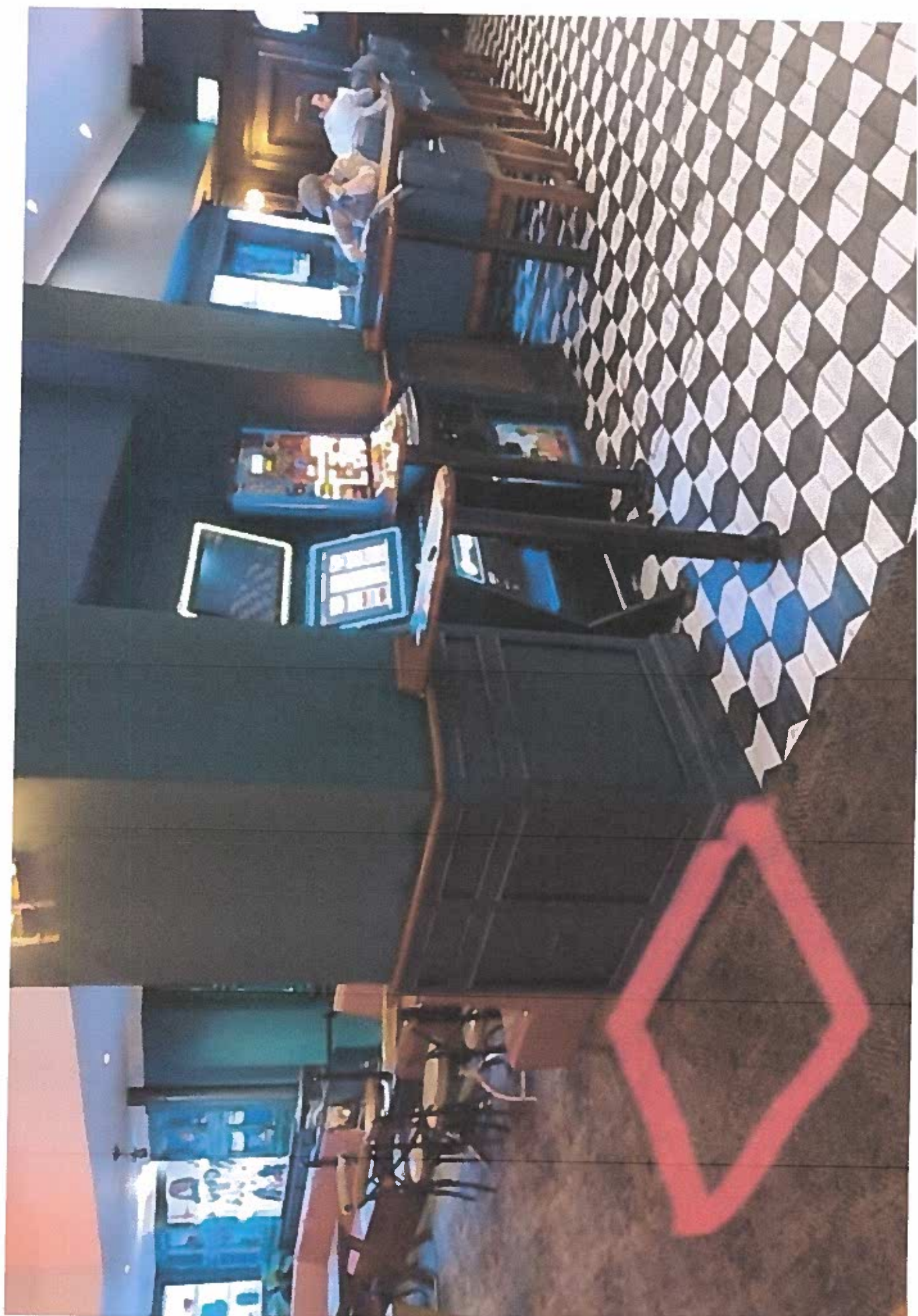
**Date of receipt of notification of 2 or less gaming machines:** .....

**Date of receipt of fee:** .....

**Signature:** .....

**Local licensing authority stamp:**

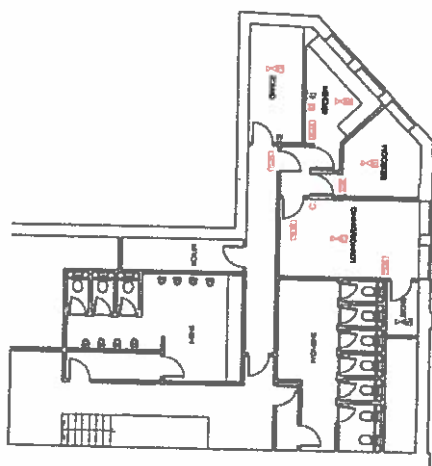






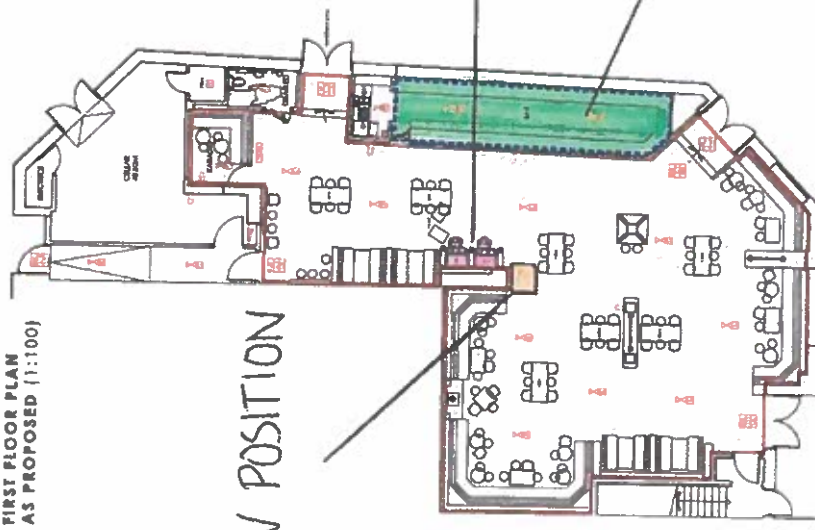




[illegible]

**FIRST FLOOR PLAN  
AS PROPOSED (1:100)**

## NEW POSITION



**GROUND FLOOR PLAN AS PROPOSED (1:100)**

CURRENT POSITION

[illegible]

**PROPOSED NEW DEVELOPMENT FOR AMBER TAVERNS  
4 NELSON SQUARE BOLTON, BL1 1JT**

## LICENSING PLANTS

[illegible]

NAME	1820-04	1820-04
1820-04	1820-04	1820-04

## **Amber Taverns Machines Policy/ Information Position**

### **IT IS UNLAWFUL FOR ANYONE UNDER THE AGE OF 18 TO PLAY ON A GAMING MACHINE (Category C).**

Please note that a Gaming Machine (Category 'C') is the technical term for your Amusement with Prize (AWP) or Fruit Machine.

#### **1. Purpose**

This Amber Taverns policy has been written to support all relevant legislation and to assist compliance with the law.

One purpose of the legislation (contained in the Gambling Act 2005) is to protect children and vulnerable adults from being harmed or exploited by gambling.

Offences under the new legislation include:-

- Gambling on a Gaming Machine (Category 'C') when under the age of 18 Years Old.
- Participating in playing a Gaming Machine (Category 'C') with anyone under the age of 18 years.

#### **2. Policy**

Amber Taverns policy is that of the Law. **IT IS UNLAWFUL FOR ANYONE UNDER THE AGE OF 18 TO PLAY ON A GAMING MACHINE (Category C) OR PARTICIPATE WITH THAT PERSON.**

#### **3. Implementation**

Overall responsibility for policy implementation rests with the Operator of the licensed premises. When he/she is absent the Duty Manager or other person responsible for the day to day operation of the premises is responsible. All team members are obliged to adhere to the policy, and fully support its implementation.

In particular the Operator is to

- Ensure that all existing employees are informed of the policy and their role in the implementation and monitoring of the policy.
- Ensure that all new personnel are briefed on the policy at the time of their recruitment/induction.

#### **4. Signage**

**"No Under 18's to Play" signage is already on Category C Gaming Machine(s)**

#### **5. Non-Compliance**

In addition to any Legal Action that may arise due to anyone under the age of 18 years playing a Gaming Machine (Category 'C') or participating with such play on the Premises, failure to comply will be subject to action under the disciplinary procedure.

#### **6. Due Diligence Actions.**

The following guidelines have been drawn up for Operators and Team Members so that everyone is aware of the action to be taken if

- Someone under the age of 18 (team member, guest / customer or visitor) plays, or an adult participates in the playing of a Gaming Machine (Category 'C') by a person under the age of 18 on the premises.
- Any person under 18 years of age playing a Gaming machine (Category 'C'), together with those permitting or participating in play by an under 18 year old are potentially liable to prosecution, a fine and the loss of the site's permit to site Gaming Machines (Category 'C') on the premises.

There is a due diligence defence available if all reasonable steps to determine the individual's age are taken and if it is reasonably believed the individual was over 18.

**The young person may be fined up to £1,000. An adult is potentially liable to be fined, on conviction, up to £5,000. In a worst case scenario could result in a custodial sentence.**

General advice on preventing an offence being committed under the terms of the Gambling Act 2005:-

- ***If appropriate to the site, an age related door entry policy.***
- ***More generally, through observation of persons appearing to be under the age of 21 years, such that they can be challenged for their ID if they play a Gaming Machine (Category C).***
- ***Gaming Machines (Category C) must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision or by other means such as door control. Arrangements must be in place for such supervision.***
- ***Gaming Machines (Category C) must be sited such that players should have to cease playing on the machine to use the ATM.***

***Action to be taken if a person under 18 years of age is identified playing a Gaming Machine (Category C):-***

- Draw the person's attention to the 'No U-18' signs and advise them that they are committing an offence. Politely advise them, and if appropriate, anyone participating with them, that they are breaking the law and must stop playing the gaming machine. There may be non-gaming machines on the premises which they can play instead.
- Advise the persons that it is also an offence for you (as Operator or team member) to let them continue playing the Gaming Machine.
- In the event of them refusing to stop playing they should be asked to leave the premises, should they refuse, then seek the assistance of Duty Management and if necessary invoke incident management procedures.
- In all cases the incident must be reported to the Operator and recorded using the Company's Incident Report Form and forwarded in the usual manner.
- Any un-played credits remaining on the machine should be refunded. A record should be kept of the value of any winnings shown on the machine. These will only be paid to the person concerned if they provide their name, address and signature before leaving the premises and return within 48 hours with appropriate ID showing they are over 18. Monies paid for un-played credits and, where appropriate, winnings should be recorded in the Sundry Claim log book and signed for by the person receiving the money. This will be presented to the collector in the normal way to allow repayment of money paid out of your till.

*If the person playing is an employee:*

- The above procedure remains the same but in addition disciplinary procedures should be applied.

**7. Enforcement Officers.**

**The law can be enforced by Police, Gambling Commission or Council Representatives, who have been authorised to carry out this work.**

The Authorised enforcement officers will have the power to enter all premises to determine whether the law is being upheld and will also assess whether or not those in control of the premises have taken all reasonable precautions to prevent anyone under the age of 18 playing Gaming Machines (Category 'C'). This will assist in providing due diligence defence.

Children can and are likely to be used in enforcement operations and test playing by under 18 year olds.