

Report to: Licensing & Environmental Regulation Committee

Date: 12th November 2019

Report of: Director of Place

Report No: LERC/33/2019

Contact Officer: Licensing Officer

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Report Title: **APPLICATION FOR A NEW GAMING MACHINE PERMIT**

Non Confidential:

This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

Purpose:

To invite the Committee to consider an application for a new gaming machine permit for Amusement with Prizes (AWP) in a public house that holds a premises licence issued under the Licensing Act 2003.

Recommendations:

As shown in the report

Background Doc(s):

Gambling Act 2005
Bolton Council Statement of Principles 2016-2019
Appendix – copies of application form and plan

Summary:

No summary

APPLICATION FOR 'AWP' GAMING MACHINE PERMIT ON PREMISES WHICH HOLD A PREMISES LICENCE UNDER THE LICENSING ACT 2003

1. Background

- 1.1 The Gambling Act 2005 came into effect on 1st September 2007. It extended the Local Authority responsibilities to include the licensing of premises where gambling takes place and issuing permits for other types of gambling.
- 1.2 The Gambling Act contains three licensing objectives and these underpin the function of the Local Authority and the Gambling Commission. These objectives are central to the regime.

They are:

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

- 1.3 From November 2005 all permissions for AWP machines in pubs and nightclubs where a 'premises licence' has been issued have been granted by the Council and since September 2007, by way of a permit granted under the provisions of the Gambling Act 2005.
- 1.4 In October 2005 Members resolved to change the Council Scheme of Delegation. To enable applications for AWP permits for certain premises to be processed and for permits to be issued without reference to a Committee hearing. This was in accordance with guidance from the Department for Culture Media & Sport.

The resolution was:

- i) That authority to grant or renew gaming machine permits where:
 - a) The application is received from or on behalf of the holder of a 'premises licence' issued under the provisions of the Licensing Act 2003 which permits the sale of alcohol for consumption on the premises, and
 - b) Is for a maximum of two AWP machines (or such number as members consider to be appropriate), and
 - c) The AWP's are located within the area of the building, which is covered by the 'premises licence'

The Councils Scheme of Delegation, delegates authority for the grant and renew of a permit to the Director of Place.

- 1.5 In circumstances other than those outlined in Para 1.4, the application is referred to the Licensing & Environmental Regulation Committee to be determined.

2. The application – Northern Way, Unit 4, Nelson Square, Bolton, BL1 1JT.

- 2.1 The licensing team has received an application for a new gaming machine permit.
- 2.2 The application is for premises that trade as Northern Way, Unit 4, Nelson Square, Bolton, BL1 1JT.
- 2.3 The application is submitted by Amber Taverns Ltd, Victory House, 112 Victory Road, Blackpool. Amber Taverns Ltd is the premises license holder under the Licensing Act 2003.
- 2.4 A copy of the application form and plan are attached to the report as an appendix.
- 2.5 The application requests permission for a total of 3 Category C gaming machines.
- 2.6 A Category C machines has a maximum stake of £1.00 with a maximum prize of £100.00.
- 2.7 The appropriate fee has been submitted with the application.
- 2.8 The permit duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence.
- 2.9 There is a first annual fee payable within 30 days of the date of issue of the permit and an annual fee payable after that before each anniversary of the date of issue of the permit.
- 2.10 Failure to pay the annual fee may result in the cancellation of the permit.
- 2.11 The applicant has been invited to attend the meeting to support their application.

3. Recommendation

- 3.1 Members are asked to consider the application and to:
 - (i) Grant the gaming machine permit, or
 - (ii) Refuse to grant the gaming machine permit stating the reason for the refusal.