

Bolton Council

Report to: Licensing and Environmental
Regulation Committee

Date: 26th August 2014

Report of: Director Environmental Services

Report No: LER/27/2014

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Report Title: **Applications for a Permit for Amusement with Prizes (AWP) gaming machines**

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 Members to consider the application for a permit for Amusement with Prizes (AWP) gaming machines in a public house.

Recommendations:

As shown in the reports

Background Doc(s):

Human Rights Act 1998 - Guidelines

Summary:

No summary

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

1. Background

- 1.1 From November 2005 all permissions for AWP machines in pubs and nightclubs which hold a 'premises licence' have been granted by the Council and, since September 2007, by way of a permit granted under the provisions of the Gambling Act 2005.
- 1.2 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 in accordance with guidance from the Department for Culture Media & Sport.

The resolution is as follows:

- 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'

is delegated to the Director of Environmental Services.

- 1.3 In circumstances other than those outlined in Para 1.2, the application is referred to the Licensing and Environmental Committee to be determined.
- 1.4 The Gambling Act 2005, was fully implemented in September 2007, and changed the way in which AWP machines are regulated.

Capitol, 37-41 Churchgate, Bolton, BL1 1HU

2. The application

- 2.1 The Licensing Team has received an application, which relates to Capitol, 37-41 Churchgate, Bolton, BL1 1HU
- 2.2 The application is submitted by the premises licence holder Amber Taverns Ltd, Victory Offices, 112 Victory Road, Blackpool, FY1 3NW.
- 2.3 The application is for a new permit and requests permission for four AWP machines (all Category C machines - max stake £1 max prize £100).
- 2.4 Members considered a new application for a gaming machine permit in June 2013. This application was granted and increased the number of machines from 2 to 3 in June 2013.
- 2.5 The applicant states that this is a large public house, more than twice the size of their usual premises and that they have 4 gaming machines at a lot of their outlets. A plan of the location is attached to the report.
- 2.6 No complaints concerning the presence or the operation of the existing machines in the premises have been received by the Licensing Team
- 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. 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. Failure to pay the annual fee may result in the cancellation of the permit.
- 2.9 Officers have discussed the application with the applicant. The applicant does not intend to attend the meeting but respectfully requests that the decision be deferred if Members are minded to refuse the application in order that they can attend a future meeting to support the application.

3. Recommendation

- 3.1 Members are asked to consider the application and to:
 - (i) Grant the application for a Gaming Machine Permit, or
 - (ii) Defer the application to enable the applicant to attend a future meeting to support the application

