

APPENDIX B



KNOWSLEY BOROUGH COUNCIL

GAMBLING POLICY

2025 - 2027

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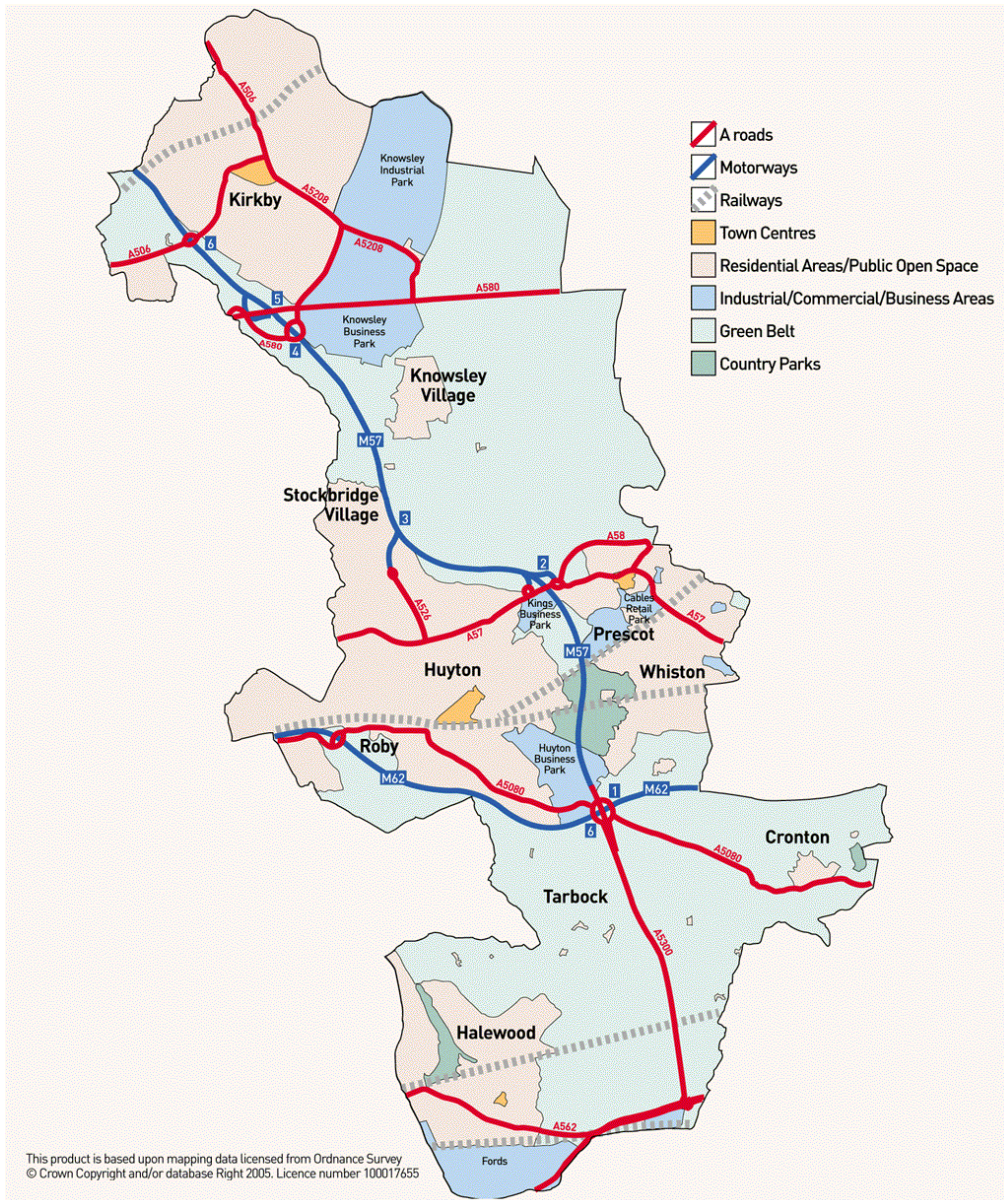
PART A

1. Introduction

- 1.1 The Gambling Act (The Act) received Royal Assent in April 2005. It covers all commercial gambling in England and Wales and includes the regulation of gambling premises, temporary use of premises for gambling, small society lotteries and remote gambling.
- 1.2 Responsibility for the Act's implementation is divided up between the Department of Culture Media and Sport, who prepared the legislation, the Gambling Commission who prepared guidance for local authorities and draught codes of practise for operators to follow and licensing authorities who issue some but not all authorisations.
- 1.3 At the Act's heart are three licencing objectives which we as the local authority will use as a measure for many decisions on gambling applications. These are;
- (i) Preventing gambling from being a source of crime or disorder being associated with crime or disorder or being used to support crime.**
 - (ii) Ensuring that gambling is conducted in a fair and open way.**
 - (iii) Protecting children and other vulnerable persons from being harmed or exploited by gambling.**
- 1.4 Those who would like to offer gambling will need either;
- An Operating Licence and Premises Licence for each premises they run.
 - A Permit
 - An Occasional Use Notice.
 - A Temporary Use Notice
 - Small Society Lottery Registration
- 1.5 Certain individuals involved in the provision of gambling will also need personal licences issued by the Gambling Commission. The Gambling Commission will also issue operating licences as well as licences for remote gambling, that is gambling using the Internet telephone TV radio etc.
- 1.6 The council's licencing service will issue Premises Licences Permits and other authorisations including Occasional Use Notices and Temporary Use Notices and Small Society Lottery Registrations. Regardless of the type of licence or permit applied for, Knowsley council is looking to maintain high standards to ensure responsible gambling and the promotion of the licencing objectives.

1.7 Operators are encouraged to demonstrate what steps they will implement consistent with the licencing objectives as part of their application. Interested parties and responsible authorities may both make representations in respect of premises licence applications. They may also ask for a review of the licence at any time after the licence comes into force.

2. Local Area Profile – Knowsley Borough Council



Although there is no mandatory requirement to do so, The Local Government Association encourages all its members to develop area profiles as a matter of best practice. In simple terms, the objective of such a profile is to set out what Knowsley as an area is like, what risks this might pose to the licensing objectives, and what the implications of this are for the licensing authority and operators. Licensing authorities are advised to keep their local area profiles

separate to their Gambling Policy, to enable the profiles to be updated without the need to re-consult on amending the policy.

Age, deprivation, educational achievement, gender and ethnicity are all factors that can influence rates of gambling and gambling harm and as such the aim of an area profile is to build up a picture of the locality, and in particular the elements of it that could be impacted by gambling premises. A profile might therefore include references to:

- Schools, sixth form colleges, youth centres, etc, with reference to the potential risk of under-age gambling.
- Hostels or support services for vulnerable people, such as those with addiction issues or who are homeless, given the greater risk of problem gambling among these groups.
- Religious buildings.
- Any known information about issues with problem gambling
- The surrounding nighttime economy, and possible interaction with gambling premises.
- Patterns of crime or anti-social behaviour in the area, and specifically linked to gambling premises.
- The socio-economic makeup of the area.
- The density of different types of gambling premises in certain locations

As one of the most deprived Local Authority areas in the country, Knowsley has challenges in protecting a large number of vulnerable people from being harmed or exploited, in line with the Act's licensing objectives. In order to protect these vulnerable members of the community a Gambling Heat map has been produced that maps out the location of gambling premises and allows areas of the Borough to be identified where exposure to gambling premises / gambling activity may be elevated, in addition to identifying any other premises or areas that are accessible by the public, thus increasing the potential for gambling harm. Once these areas have been identified this information can be used to assess local risk areas which may have a greater concentration of people who are vulnerable to gambling harm. These areas can then be given special attention to ensure gambling premises are compliant with the required regulations under The Act and resources to assist individuals with gambling issues can target these areas.

We must however balance these challenges with the requirement to develop a Gambling Policy that provides a basis for fair administration of applications under the Act, promotes compliance and enforcement activities which are fair

and proportionate, and encourages the Gambling Industry to operate successfully in the borough.

Knowsley is one of six Local Authority districts that make up the Liverpool City Region. The other Authorities are Halton, Liverpool, Sefton, St Helens, and Wirral.

Knowsley is located at the heart of the North West, approximately 15 minutes from Liverpool City Centre and 30 minutes from Manchester and covers an area of 33 square miles [8,651 hectares]; just over ten miles from south to north, and up to seven miles across.

Knowsley lies at the centre of a comprehensive transport network. Motorways form its spine, with the M57 and M62 motorways, and the A580 East Lancashire trunk road intersecting and providing fast access to and from Manchester, Liverpool and the wider national transport network. This infrastructure creates a natural segregation between employment and housing areas, and a clear definition between urban communities. The suburban housing areas are served by town and/or district centres providing a range of mainly local shopping and other services. The Borough has three main town centres - Prescot, Kirkby and Huyton. These town centre shopping areas and also local shopping parades are where many existing gambling premises are located.

Knowsley's population is currently estimated to be around 154, 517 people living in around 66,073 households.

In broad terms, the current population is distributed across the Borough as follows: 39% in Huyton; 28% in Kirkby; 14% in Halewood; and the remaining 19% split between Prescot, Whiston, Cronton, and Knowsley Village.

Changes to Knowsley's population in the last 10-years have been significant, exceeding the Northwest average and identifiable as among the top 35% most densely populated English local authority areas at the last census. While the overall working age population has stayed stable, people aged 35 to 44 years old have left the Borough (this population has declined by 25%). There has also been a decrease of young people aged from 10 to 19 years old. This could be linked to families leaving the Borough as children transition from primary to secondary education, and for employment opportunities. The numbers of older people in Knowsley has also increased, there are an additional 2,400 people aged 65 and older in Knowsley, compared with 10 years ago. The over 65 population has increased by over 10%.

National projections from the Office of National Statistics (ONS) indicate that by 2030, Knowsley will have a population of 158,009. Total population will have grown by approximately over 7,000 people, growing at a faster rate than the previous decade. These projections show that growth in the rate of older people living in the Borough will increase by 7,000 people aged 65 and older. Knowsley's working age population is projected to decline by 2030: The number of people living in Knowsley aged between 20 and 65 is projected to fall by 2,000 between 2018 and 2030. In particular, numbers of people in their

20's and 50's living in Knowsley are projected to decline. Migration of people in their 20's is connected to both employment and education opportunities, and Knowsley's current housing stock which has fewer one-bedroomed homes suitable for younger people.

The age profile of Knowsley's population resembles that of Merseyside, the North West and Great Britain. A slightly higher proportion of residents are in the 0-9, 50-59 and 60-69 age groups than regionally or nationally. Knowsley has a working age population of 94,300, of whom around 78% are economically active, and 75% are in employment.

Knowsley has an employment rate of 69.4% which is lower than the national average of 76.8%, with an estimated 3,885 active businesses.

However, the borough does experience much higher-than-average levels of economic deprivation. It is the 2nd most deprived upper tier Local Authority in England (2019 Indices of Deprivation). There are around 18% of households that are workless, compared with 16% in the North West and 14% in Great Britain. Knowsley has very high levels of people claiming sickness related benefits such as Employment and Support allowance (ESA) and Personal Independence payments (PIP). Workers in Knowsley and across the Liverpool City Region expect lower rates of pay than the average across England, and one in four residents in the region earn less than the UK Living Wage.

Knowsley is also home to higher-than-average numbers of vulnerable people. Children supported by Children's Social Care services, children under 5 living in poverty, in foster homes or residential care, or the subject of a Child Protection Plan to help keep them safe from neglect and abuse, are all at higher numbers in comparison to numbers in England as a whole.

3. Gambling Commission Summer 2023 Consultation Impact

3.1 On 1 May 2024, the Gambling Commission communicated its position in relation to its summer 2023 consultation on the proposed changes to the Licence Conditions and Codes of Practice (LCCP) requirements placed on gambling businesses, and on changes to existing Remote Gambling and Software Technical Standards, including some new requirements. These topics are connected to the government's White Paper "High Stakes: gambling reform for the digital age which sets out the government's plan for reform of gambling regulation following the 2021 review of the Gambling Act 2005.

3.2 Of the six topic areas focused on by the Gambling Commission consultation, only one had outcomes which impacted on land-based / premises-based gambling activities – namely measures to strengthen age verification in premises. The remaining 5 topic areas do not impose any additional implications on the role of Knowsley Licensing Authority and its regulatory duty under the Gambling Act 2005. The topic areas covered by the consultation are as follows:

- I. Improving customer choice on direct marketing.

- ii. Strengthening age verification in premises.
- iii. Game design.
- iv. Financial vulnerability checks and financial risk assessments
- v. Personal Management Licences
- vi. Changes to Regulatory Panels

3.3 The changes to the gambling commission licence conditions and codes of practice as a result of their consultation, relating to age verification measures in premises are effective from 30 August 2024, and are as follows:

- I. Remove the current exemption from carrying out age verification test purchasing for category A and B licenses of the following types: betting, bingo, family entertainment centre and adult gaming centre.
- II. Changing the relevant ordinary code (good practice) elements of the Gambling Commission licence conditions and codes of practice to say that licensees should have procedures that require their staff to check the age of any customer who appears to be under 25, rather than currently under 21.

3.4 The impact of enforcing and regulating the changes identified in paragraph 3.3 above will not be the duty of Knowsley Licensing Authority, however the procedural requirement for gambling premises to operate a Challenge 25 policy will be assessed by Knowsley Licensing Authority Officers when conducting inspections. Any non-compliance will be reported to the Gambling Commission.

4. The Local Authorities Duties under the Gambling Act 2005

4.1 Section 349 of The Act requires each licensing authority to prepare and publish a Gambling Policy every 3 years. This policy sets out a statement of the principles that they propose to apply in exercising their functions under The Act during that period. Furthermore, this document details the manner in which Knowsley Council (the Licensing Authority) will consider applications for licences and permits under the act and aims to ensure the Licensing Authority has regard to the three licensing objectives detailed in paragraph 1.3 of this document.

4.2 The Licensing Authority is aware that, in accordance with section 153 of The Act, in making decisions about premises licences and temporary use notices, it may **not** have regard to the expected demand for such facilities, and it should aim to permit the use of premises for gambling in so far as it thinks it is:

- In accordance with any relevant code of practice and guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and;
- In accordance with its statement of principles contained in the policy document.

4.3 This Gambling Policy relates to all licensable premises, permits and registrations falling under the Act. The Licensing Authority is responsible for;

- Licensing premises (Casinos, Betting Offices, Bingo Halls, Tracks and Amusement Arcades) where gambling activities take place by issuing premises licences and provisional statements;
- Issuing club gaming permits and/or club machine permits to members' clubs and miners' welfare institutes who wish to undertake certain gaming activities;
- Issuing club machine permits to commercial clubs;
- Issuing 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 less gaming machines;
- Issuing licensed premises gaming machine permits in respect of alcohol licensed premises (under the Licensing Act 2003) for the use of more than two gaming machines;
- Registering small society lotteries;
- 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; and
- Maintaining registers of the relevant permits and licences issued.

4.4 While the policy sets out the general approach to the exercise of functions under the Act, every licence application will be considered on its merits and nothing in this policy will prevent any person from applying for a licence or permit (or a licence review), or from making representations about an application under The Act.

4.5 Whilst online, telephone, and other forms of remote gambling are becoming increasingly common place, and are a growing concern across the country, the responsibility for the licensing of remote gambling lies with the Gambling Commission and not the Licensing Authority. Therefore, Knowsley Council **cannot** be involved in the control of such activities. Other exceptions are spread betting, which is regulated by the Financial Services Authority, and the National Lottery which is regulated by the National Lottery Commission.

4.6 In order to formulate a policy that complies with legislation and reflects public concerns we have paid particular attention to;

- The Licencing objectives
- Guidance and Codes of Practice issued by the Gambling Commission
- Comments we receive during public consultation on our policy.

5 Gambling Harm Heat Map

5.1 In addition to the Local Area Profile, a gambling harm mapping exercise has been conducted which links the location and number of gambling premises with key social and public risk factors that could contribute to gambling harm and where gambling risk / vulnerability is greatest. The results of the exercise can be seen in Appendix G.

5.2 Gambling harm is broadly classified into six categories:

- i. Financial
- ii. Relationship disruption, conflict, or breakdown
- iii. Mental and physical health
- iv. Cultural
- v. Employment and education
- vi. Criminal activity

5.3 Although there may not be a single definition of harm related to gambling, the existence of harm is well established with negative impacts associated and seen within these categories. The Northwest has the second highest prevalence of people gambling at levels of elevated risk. It is estimated that 0.5% of the adult populations has a problem with gambling, 3.8% are gambling at at-risk levels, and 7% are affected negatively by other people's gambling.

5.4 People at greatest risk of harm are more likely to be unemployed and living in more deprived areas, have poor health, low life satisfaction and wellbeing, and have an indication of probable psychological health problems.

5.5 In response to the Gambling Commission's consultation, new light-touch financial vulnerability checks are being made mandatory for all online gambling outlets to strengthen existing financial harm checks. These checks are intended for licensee's to use when there are concerns that a customer may be experiencing harm to help stop or prevent the harm escalating.

5.6 Financial vulnerability checks will be introduced on 30 August 2024 at an initial higher threshold of £500 net deposit in a 30-day rolling period. This higher threshold will stay for 6 months until 27 February 2025. From 28 February 2025 the threshold is reduced to £150 net deposits in a rolling 30-day period. This is to allow operators an opportunity to introduce the required process into their customer interaction approach without the pressure of having to process a large number of requests at once.

- 5.7 Appendix G contains a Gambling harm data profile for Knowsley produced by GambleAware based on data sourced from the Annual Great Britain Treatment and Support Survey 2022 carried out by YouGov. It uses a grading system called Problem Gambling Severity Index (PGSI) to measure levels of gambling behaviour which may cause harm to an individual.
- 5.8 The main headline statistics in the report state that the proportion of people in Knowsley experiencing any potential harm or negative gambling consequences from their gambling is 13.6%, whereas the figure for Great Britain as a whole is 13.4%, meaning Knowsley is broadly similar to the rest of Great Britain.
- i. Levels of low-risk gambling harm prevalent in Knowsley is 7.1%, this is estimated to be below the GB average of 7.5%.
 - ii. Levels of moderate-risk gambling harm prevalent in Knowsley is 3.9%, this is estimated to be above the GB average of 3.0%.
 - iii. Levels of defined “problem” gambling prevalent in Knowsley is 2.6%, this is estimated to be below the GB average of 2.9%.
- 5.9 What the report also states is that fewer Knowsley residents in the low and moderate risk category are accessing or seeking treatment and support services to cut down their gambling, but a notably higher proportion of the population in the higher risk category are accessing treatment, and 63.1% of Knowsley residents in this higher risk category accessing treatment and support to reduce their gambling compared to the GB average of 66.4%.
- 5.10 Demand for treatment and support across Knowsley is lower than the GB average (11.4% in Knowsley compared to 19.4% GB average for low risk, 22.8% in Knowsley versus 39.6% GB average for moderate risk, and 57.7% in Knowsley for high risk versus 64.9% GB average).
- 5.11 Problem gambling is a bigger issue in Knowsley for younger people in the age group 18 – 34 however compared to the national average the proportion is very similar – 22.1% of 18 – 34 year olds in Knowsley compared with the average for England of 21.8%. Furthermore, those who are unemployed or economically inactive are more likely to experience problem gambling – the significance for Knowsley being that it has a higher proportion of people unemployed or economically inactive (24.3%) compared with the England average (20.5%)

6. Consultation

- 6.1 This policy statement is valid for 3 years, although during that time it can be reviewed and revised by the Licensing Authority if required. Any amendments to the policy will be subject to public consultation prior to it being re-published. In producing the final policy, the Licensing Authority had regard to:
- The licensing objectives in the Act;
 - Guidance issued by the Gambling Commission, and;

- Any responses from those consulted on its policy statement.
- 6.2 The Act requires the following parties to be consulted on the policy;
- The Chief Officer of Merseyside Police;
 - 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 act.
- 6.3 Knowsley's consultation was more extensive than legally required and the Licensing Authority consulted widely prior to finalising and publishing the policy. As well as consulting with the statutory parties referred to above the following were included in the consultation exercise: -
- All Elected Members of the Council and Parish Councils;
 - Merseyside Fire and Rescue Service;
 - His Majesty's Customs and Excise;
 - Knowsley Council (Environmental Health, Trading Standards, Planning, Public Health and Wellbeing and Children's Health and Social Care);
 - The Association of British Bookmakers;
 - Gamcare and Gamble Aware;
 - BACTA (The British Amusement Industry);
 - All existing licence holders;
 - Knowsley Chamber of Commerce;
 - The Borough's Parish and Town Councils.
 - Faith Groups
- 6.4 The consultation exercise took place between 26 July 2021 and 6 September 2024 and took into account the Government code of practice on consultation (published July 2012 and last updated in March 2018) which is available at; <https://www.gov.uk/government/publications/consultation-principles-guidance>
- 6.5 Further details regarding the consultation exercise, the list of responses received and consideration given to those responses is available from the Council's Licensing Service on request.

6.6 Should you have any comments regarding this policy please submit them (in writing) to the Licensing Authority at:

By post: Licensing Authority
2nd Floor Municipal Buildings,
Huyton, Knowsley
Merseyside L36 9UX

By email: licensing@knowsley.gov.uk

7. Responsible Authorities and Interested Parties.

7.1 Responsible Authorities

7.1.1 Responsible authorities must be made aware of premises licence applications, and they can submit relevant representations to the Licensing Authority. Responsible authorities may also request a review of the premises licence. In all cases, the representation and/or the review must relate to one or more of the licensing objectives set out in paragraph 1.3 of the policy. The contact details of each of the responsible authorities are shown at Appendix A.

7.1.2 Prior to submitting applications for licences the Licensing Authority would advise applicants to discuss any issues with the relevant responsible authorities.

7.1.3 One of the Licensing Authority's functions is to determine who will be competent to advise about the protection of children from harm. The Licensing Authority will apply the following principles when designating a competent body:

- 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.

7.1.4 The Council, having applied the above principles, has designated the Knowsley Safeguarding Children Board (KSCB) for this purpose and will work in partnership with the board to ensure the protection of children from gambling harm.

7.1.5 Public Health within the community is a concern both in Knowsley and the wider Liverpool City Region. It has therefore been deemed appropriate for the Licensing Authority to consult with the Council's Director of Public Health on all premises licence applications received. They will identify and comment on any local risks to health imposed by applications made under the Act.

7.2 Interested Parties

7.2 Interested parties can also make representations about licence applications or

apply for a review of an existing licence. A person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority, the person;

- a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities.
- b) Has business interests that might be affected by the authorised activities;
or
- c) Represents persons who satisfy (a) or (b)

7.3 In deciding whether a person is an interested party the Licensing Authority will:

- Determine each case on its merits;
- Not apply a rigid rule to its decision making; and
- Have regard to the examples of considerations provided in the Gambling Commission's Guidance (paragraphs 8.11 to 8.17).

7.4 The Licensing Authority recognises that interested parties can include elected representatives such as councillors and Members of Parliament. No specific evidence of being asked to represent an interested person is required providing the councillor and/or the Member of Parliament represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered an interested party. Other than the above, the Licensing Authority will generally require written evidence that a person or body represents the Interested Party. A letter from the person or persons requesting representation is sufficient.

7.5 If individuals wish to approach councillors to ask them to represent their views, then care should be taken that the councillors are not part of the Licensing Committee or Sub-Committee dealing with the licence application. This is to avoid any perception of bias. If there are any doubts, then please contact the Licensing Authority.

7.6 Any representations received (either in response to the written notification from the Licensing Authority or to the notices published in a newspaper/on the premises) will be judged on their merits but must be 'relevant' in accordance with The Act.

8. Information exchange

8.1 The Licensing Authority will act in accordance with sections 29 and 30 of the Act in its exchange of information with the Gambling Commission, by maintaining accurate registers of premises, permits and notices, as well as responding to all data requests from the Commission. The Licensing Authority will use its local knowledge to contribute to an effective partnership in shared regulation with the Commission and will always have regard to the underlying principles as outlined in part 13 of the Guidance, as well as any relevant regulations issued by the Secretary of State.

8.2 Knowsley Council will also act in accordance with Section 350, sharing information as required with any persons or bodies listed in Schedule 6(1) of the Act.

8.3 In exercising its functions with regard to Information exchange, the Licensing Authority will ensure that the Data Protection Act 2018 will not be contravened. Details of persons making representations will be made available to applicants but will be redacted in the publication of Licensing Committee or Sub Committee reports on the Council's website.

9. Enforcement

9.1 Licensing Authorities are required by regulation under The Act to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of The Act to institute criminal proceedings in respect of the offences specified.

9.2 All premises will be risk assessed by Licensing Enforcement Officers during a comprehensive annual inspection. A copy of the inspection report can be made available on request.

9.3 The risk-based inspection program will be based on the Licensing Objectives, Applicable Codes of Practice and Guidance issued by the Gambling Commission and the principles set out in this statement of gambling policy.

9.4 Any enforcement action will be taken in accordance with the Council's Corporate Enforcement Policy that can be viewed following this link [Place | Knowsley Council](#) .

9.5 Any corrective action required following inspection will be confirmed in writing at the earliest opportunity.

9.6 Where a premise is found to be non-compliant a Licensing Enforcement Officer will conduct a re-visit specifically to address the non-compliance. If following a re-visit the non-compliance is not corrected, further enforcement action will be considered, which may include referring matters to the Gambling Commission.

9.7 Any enforcement action taken will be:

- **Proportionate** - Regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Targeted** - Regulators should be focused on the problem and minimise side effects
- **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;

9.8 In line with Gambling Commission guidance, the Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

9.9 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licenses and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating licences and personal licences applicable to gambling. Concerns about the manufacture, supply or repair of gaming machines will be notified to the Gambling Commission.

10. Local Risk Assessments

10.1 The Gambling Commission's Licence Conditions and Codes of Practice (LCCP) (current version effective 1st April 2024) require operators to consider local risks to the licensing objectives in their applications. The local risk assessment will set out the measures the licensee has in place to address specific issues where concerns exist over new or existing risks. By adopting this proactive approach Licensing Authorities and licensees should be able to reduce the occasions on which a premises review is required. It also develops a partnership between the Council and the Gambling Industry in agreeing a proportionate approach to mitigating potential risks to the licensing objectives.

10.2 As part of the application process licensees are required to submit a local risk assessment when applying for a new premises licence. An updated risk assessment must also be submitted:

- When applying for a variation of a premises licence;
- To take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement; and
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

10.3 The following list is not exhaustive, but is indicative of the matters which should be considered by operators in their local risk assessment:

- Demographics of the area in relation to vulnerable groups.
- Crime and Disorder levels in the proposed location.
- Known problems in the area such as street drinking, antisocial behaviour.

- Use of policies, procedures, and training programmes to identify and protect children and the vulnerable.
 - Premises interior and exterior design, including signage and shop fitting, proposed machine locations, and access in the case of multi-purpose premises.
 - Security and CCTV provisions dependant on Crime and disorder levels in the local area; and
 - Locations of nearby alcohol or drug support facilities, pawn brokers or pay day loan businesses in the vicinity.
- 10.4 In accordance with Ordinary Code Provision 10.1.2, licensees are required to share their risk assessment with the Licensing Authority when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request. We will also expect a copy of the latest risk assessment to be kept onsite for ease of inspection.

PART B

PREMISES LICENCES

11. Premises Licences - *General principles*

- 11.1 The Licensing Authority is aware that, as per Section 153 of the Act, in making decisions about Premises Licences it should aim to permit the use of premises for gambling in so far as it thinks it is:
- In accordance with any relevant code of practice issued by the Gambling Commission.
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the licensing authority's Statement of Gambling Policy.
- 11.2 Premises licences are subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in the regulations. Section 169 of the Act gives the Licensing Authority the power to exclude default conditions and attach others where it is believed to be appropriate. However, with Section 153 in mind, the Licensing Authority will not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and guidance, or this statement of policy. The Licensing Authority will not turn down applications for premises licences where relevant objections can be dealt

with by the use of conditions.

- 11.3 The Authority is aware that moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, the Authority will rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met. The authority's decision will not be based on any dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers) as such objections do not relate to the licensing objectives.
- 11.4 In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to:
- Section 153 makes it clear that in deciding whether or not to grant a licence, a licensing authority **must not** have regard to the expected demand for gambling premises that are the subject of the application.
 - Section 210 (1) of the Act states that 'in making a decision in respect of an application, a licensing authority **should not** have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.
- 11.5 The Licensing Authority has a legal duty to have regard to the statutory principles of good regulation in exercising its functions under the Act. In considering applications, and taking enforcement action under the Act, The Authority is also subject to the Human Rights Act 1998.

12. Premises Licences - Meaning of premises / division and access between premises

- 12.1 In the act the term 'premises' is defined as 'any place'. Section 152 of the act prevents more than one premises licence applying to any place. 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.
- 12.2 Whether different parts of a building can properly be regarded as being separate premises will always depend on the circumstances. In most cases a single building or plot will be the subject of an application for a premises licence. But that does not mean that a single building or plot cannot be the subject of separate premises licences for two floors, if they are configured in an acceptable way, and that mandatory conditions relating to access between the premises are observed. Whether a proposed division is acceptable will be a matter for discussion between the applicant and the licensing authority.
- 12.3 In line with the Commission's guidance, the licensing authority does not accept that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority will request a plan of the venue on which the premises should be identified as a

separate unit. Different configurations may be appropriate under different circumstances, but the main consideration is whether the proposed premises are genuinely separate premises that merit their own licence and are not artificially created, for example to facilitate a larger number of machines, in what is readily identifiable as a single premises.

- 12.4 In addition, different premises licences cannot apply in respect of single premises at different times. Therefore, premises could not, for example, be licensed as a bingo club on weekdays and a betting shop at weekends. However, in some circumstances, one premises licence may authorise more than one type of gambling. For example, a bingo licence will also authorise the provision of gaming machines.
- 12.5 The Licensing Authority will also carefully consider the nature of any unlicensed areas used to access a licensed gambling premise, particularly in considering applications for multiple licences for one building, and those relating to a discrete part of a building used for other (non-gambling) purposes. 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, and in order to be reasonably consistent with the licensing objectives, in particular protecting children from being harmed by gambling. The plan of the premises should clearly denote entrances and exits.
- 12.6 In all cases, applicants for premises licences must ensure they adhere to The Gambling Act 2005 (Mandatory and Default Conditions) Regulations (SI 2007/1409 for England and Wales and SSI2007/266 for Scotland) in respect of access provisions. The Licensing Authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

13. Premises Licence - *Location of premises*

- 13.1 In most circumstances, an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. In such circumstances, the Licensing Authority will still accept an application for a Premises Licence, and will judge such applications on their merits, but an application for Provisional Statement will be more appropriate.
- 13.2 When determining an application for a premises licence the Licensing Authority will carefully consider the location of the premises in terms of the three licensing objectives. The Licensing Authority is however aware that demand issues cannot be considered with regard to the location of premises.
- 13.3 In accordance with the Gambling Commissions guidance, 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. Applications for premises which are close to accommodation catering for vulnerable people, as well as educational establishments and residential areas, are likely to adversely affect the licensing objectives. This

would **not** prevent any application being made in such areas, as every application will be determined 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 to avoid any duplication with other statutory and regulatory systems where possible, including planning and building regulations. The Licensing Authority will not consider whether a premises is likely to be awarded planning permission or building regulations approval when considering an application. It will though, listen to and carefully consider any concerns about conditions which are not able to be met by licence holders due to planning restrictions, should such a situation arise.
- 14.2 When dealing with a premises licence application for finished buildings, the Licensing Authority will not consider whether those buildings have to comply with the necessary planning or buildings consents. Likewise, fire or health and safety risks will not be considered as these matters are dealt with by separate legislation and therefore will not form part of the consideration for the premises licence.

15. Conditions

- 15.1 Mandatory and default conditions are usually sufficient to ensure operation that is consistent with the licensing objectives, and additional conditions will only be imposed where there is evidence of a risk to the licensing objectives. Any conditions imposed by the licensing authority will be proportionate to the circumstances they are seeking to address. In particular, the authority will ensure that premises licence conditions are:
- relevant to the need to make the proposed building suitable as a gambling facility.
 - directly related to the premises (including the locality and any identified local risks) and the type of licence applied for.
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.
- 15.2 The Licensing Authority cannot attach conditions which make it impossible to comply with an operating licence condition, conditions relating to machine categories, numbers, or method of operation, conditions requiring membership in respect of casino or bingo clubs, or conditions in relation to stakes, fees, winnings or prizes. Decisions upon individual conditions will be made on a case-by-case basis and may include the use of supervisors, appropriate signage for adult only areas, and so on.
- 15.3 The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences, having

regard to the licensing objectives. 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.

15.4 The Licensing Authority will also ensure that wherever category C or above are on offer in premises to which children are admitted:

- Only over 18's are admitted to the area where these machines are located.
- 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.
- Access to the area where the machines are located is supervised by a person whose responsibilities include ensuring that under 18's do not enter, or CCTV which is monitored by someone whose responsibilities include ensuring that under 18's do not enter.
- The area where these machines are located is arranged in a way that ensures that all parts of the area can be observed; and
- A notice must be displayed in a prominent place at the entrance to the area stating that no person under the age of 18 is permitted to enter the area.

16. Door supervisors

16.1 In accordance with the Gambling Commission's guidance the Licensing Authority will only consider attaching a condition requiring the employment of door supervisors where there are concerns that a premise may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons). In such cases the Licensing Authority may require that the entrances to the premises are controlled by a door supervisor. If a person is employed as a 'door supervisor' at a gambling premise as per the definition in section 178 of The Gambling Act 2005 and is required to hold a licence issued by the Security Industry Authority (SIA), the SIA licence requirement will have force as though it were a condition of the premises licence.

16.2 This requirement is relaxed when applied to door supervisors at casino and bingo premises. While contract staff employed as door supervisors will need to be licensed by the SIA, in-house employees working as door supervisors at casino and bingo premises are exempt from these requirements. The Licensing Authority would still encourage applicants who employ staff in a security capacity to ensure they are registered with the Security Industry Authority.

17. The Licensing Objectives

17.1 Premises licences (as well as temporary use notices and some permits) granted must be reasonably consistent with the licensing objectives. The Licensing Authority has considered the Gambling Commission's guidance on the

licensing objectives and comments are made below under each objective.

(i) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 17.2 The Licensing Authority will do all it reasonably can to prevent crime and disorder in the borough. A high standard of control is therefore expected to be exercised over licensed premises in Knowsley.
- 17.3 Applicants for a premises licence must hold an operating licence from the Gambling Commission before a premises licence can be issued by the Licensing Authority. Therefore, the Licensing Authority will not generally be concerned with the suitability of an applicant although where there are concerns about a person's suitability the Licensing Authority will bring those concerns to the attention of the Gambling Commission.
- 17.4 The Licensing Authority will consider the location of premises. For example, if an application is received in relation to an area noted for particular problems with crime, then the Licensing Authority will consider what (if any) controls might be appropriate to prevent those premises being associated with or used to support crime. This could include conditions on the premises licence, such as a requirement for door supervisors. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority.
- 17.5 When determining applications the Licensing Authority will consider whether the grant of a licence is likely to result in an increase in crime and disorder, and in making this consideration will have regard to various factors including the design and layout of the premises, training given to staff, security features installed at the premises, and age verification procedures if appropriate. Applicants are encouraged to discuss their crime prevention procedures with Merseyside Police prior to making a formal application.
- 17.6 There are a number of voluntary initiatives that the gambling industry participates in to address issues such as underage access, staff safety and security. One example of such an initiative is the Safe Bet Alliance's Voluntary Code of Safety and Security National Standards for Bookmakers. The Licensing Authority encourages operators to be a part of such schemes to reinforce existing measures.

(ii) Ensuring that gambling is conducted in a fair and open way

- 17.7 The second licensing objective is one that is addressed by the Gambling Commission and is not a consideration for the Licensing Authority. The Commission will seek to ensure that 'gambling is conducted in a fair and open way' when they consider applications for operating and personal licences. However, where there are concerns about fairness and openness at a local level, the Licensing Authority will bring those concerns to the attention of the Gambling Commission.

17.8 As betting track operators do not require an operating licence (although they may have one) from the Gambling Commission, the Licensing Authority may, in certain circumstances, require conditions of licence to ensure that the environment in which betting takes place is suitable.

(iii) Protecting children and other vulnerable persons from being harmed or exploited by gambling

17.9 Children (defined in the act as under 16) and young persons (16 to 17 year olds) may take part in private and non-commercial betting and gaming. However, the Act contains several 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 a person 18 and over. In summary:

- Casinos cannot admit anyone under 18 and regional casinos will not be allowed to permit under 18s into the gambling area.
- Betting premises cannot admit anyone under 18.
- Bingo clubs may admit those under 18 but must have policies in place to ensure they do not gamble, except on category D machines.
- Adult gaming centres cannot admit anyone under 18.
- Family entertainment centres and premises licensed to sell alcohol for consumption on the premises (for example pubs) can admit under 18s, but they must not play category C machines which are restricted to over 18s.
- Clubs with a club premises certificate can admit under 18s, but they must have policies in place to ensure that those aged under 18 do not play machines other than category D machines.
- Horse and dog tracks can admit under 18s, and they may have access to gambling areas on race days only. Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines. Knowsley does not currently have any such tracks.

17.10 The Licensing Authority will seek to prevent children from taking part in gambling as well as restrict advertising so that gambling products are not aimed at, or are, particularly attractive to children. The Licensing Authority will consider whether specific measures are required at particular premises in respect of this licensing objective. Appropriate measures may include supervision of entrances and machines by staff or CCTV, having an appropriate structure or layout to allow for adequate supervision, and segregation of areas.

17.11 The Gambling Commission gives no clear definition of 'vulnerable persons'. It does, however, 'assume that this group includes people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, for example,

mental health, a learning disability, or substance misuse relating to alcohol or drugs'. The Licensing Authority will not seek to prohibit particular groups of adults from gambling in the same way it will seeks to prohibit children. It will consider whether specific measures are required at particular premises to protect vulnerable persons on a case-by-case basis.

17.12 In determining applications, the Licensing Authority will also consider any codes of practice issued by the Gambling Commission relating to the licensing objectives; and where there are concerns regarding access for children, young persons and vulnerable persons, the Licensing Authority will liaise with Merseyside Police and the Council's Children and Families Team. Every application will be considered on its individual merits before deciding whether to impose conditions to protect children, young persons and vulnerable persons.

17.13 If any existing operator fails to satisfy the licensing authority that the risks are sufficiently mitigated, it may be appropriate to conduct a review of the premises licence.

18. Types of Premises

(i) Adult Gaming Centres (AGC)

18.1 Adult Gaming Centres (AGC) can make Category B3, B4, C and D gaming machines available for use, and are only accessible to over 18's. To operate, they require a premises licence from the Licensing Authority. The holder of an AGC premises licence may make available for use any number of category C or D machines, and a number of category B gaming machines not exceeding 20% of the total number of gaming machines available for use. They can also provide prize gaming.

18.2 When determining applications, the Licensing Authority will have regard to the need to protect children and vulnerable persons from harm or from being exploited by gambling, particularly in relation to the location of and entry to AGC's. The Licensing Authority will expect the applicant to show that there will be sufficient measures to, for example, ensure that under 18s do not have access to the premises.

18.3 The Licensing Authority may consider what measures may be necessary having regard to the licensing objectives, such as;

- proof of age schemes.
- the use of CCTV cameras.
- supervision of entrances and gaming machine areas.
- physical separation of areas.

- location of entry.
- notices and signage.
- specific opening hours.
- self-exclusion schemes; and
- provision of information leaflets and helpline numbers for organisations such as GamCare.

18.4 The above list shows examples of measures that may be considered, and applicants should consider any other relevant measures in order to ensure the application is reasonably consistent with the licensing objectives.

(ii) Licensed family entertainment centres (FEC)

18.5 The Act provides for 2 types of family entertainment centres:

- **Unlicensed FEC's**, which can only provide category D gaming machines and require a permit to operate (see part C),
- **Licensed FEC's**, which can provide category C and D machines along with Prize Gaming and require a premises licence from the Licensing Authority.

18.6 Only premises that are wholly or mainly used for making gaming machines available may hold an FEC premises licence. For example, it will not be permissible for a licence to apply to an entire shopping centre with machines located in walkways forming part of the larger building, as the necessary controls required to minimise gambling-related harm and to protect children and vulnerable people would not be available.

18.7 Children and young persons are permitted to enter FEC's and may play on the category D machines. They will not be permitted to play on category C machines, and there must be clear segregation between the two types of machines so that children and young persons do not have access.

18.8 The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to show that there will be sufficient measures in respect of the premises structure and layout, as well as relevant staffing and supervision arrangements, to ensure that under 18s do not have access to the adult only gaming machine areas. Mandatory conditions apply to FEC premises licences regarding the way in which the area containing the category C machines should be set out and regulated.

18.9 Applicants are expected to offer up their own measures to ensure their application is reasonably consistent with the licensing objectives, and they may wish to consider measures such as staff training on how to deal with suspected truant school children on the premises.

(iii) Casinos

- 18.10 The Licensing Authority has **not** passed a 'no casino' resolution under section 166 of the act although it is aware that it has the power to do so. The Licensing Authority reserves the right to review this in the future.
- 18.11 Should such a resolution be made in the future then this Statement will be updated with details of that resolution including the reasons for the resolution. There are currently no casinos operating in Knowsley.

(iv) Bingo premises

- 18.12 Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood:
- **Cash bingo**, where the stakes paid make up the cash prizes that are won.
 - **Prize bingo**, where various forms of prizes are won, not directly related to the stakes paid.
- 18.13 In order to offer both types of Bingo, a premises licence is required from the Licensing Authority. Prize Bingo can also be played at AGC's, Licensed and Unlicensed FEC's, travelling fairs, or any premises with a prize gaming permit. Some Bingo with limited stakes and prizes is permitted on alcohol licensed premises and clubs.
- 18.14 Licensed Bingo Premises can make Category B3, C and D gaming machines available for use. The holder of a Bingo premises licence can offer an unlimited number of category C or D machines, and a number of category B3 gaming machines, not exceeding 20% of the total number of gaming machines available for use.
- 18.15 Children and young people are allowed into bingo premises. However, they are not permitted to participate in the bingo, and if category B or C machines are made available for use, these machines must be separated from areas where children and young people are allowed.
- 18.16 In accordance with the Gambling Commission's guidance the Licensing Authority will need to be satisfied that Bingo can actually be played in any bingo premises for which a premises licence is issued. Operators will also be expected to adhere to a number of mandatory conditions in order to be reasonably consistent with the licensing objectives, including signage, access, and measures to ensure that under 18's do not play Bingo or access Category B or C Gaming Machines.

(v) Betting premises

- 18.17 There are 2 types of betting premises which require a premises licence from the Licensing Authority;

- Betting Premises (for example betting offices on the high street)
- Tracks (which can be on-course or-off course).

18.18 When considering the suitability of betting premises and whether to impose conditions on a licence the Licensing Authority will take into account factors such as the size of the premises, structure and layout, the location, and measures for supervision. Under 18's are not allowed to enter betting premises.

18.19 There are a number of mandatory conditions attached to betting premises including:

- a notice to be displayed at all entrances stating that no persons under the age of 18 years will be admitted.
- no music, dancing or other entertainment is allowed.
- the only publications that can be sold or made available are racing periodicals or specialist betting publications; and
- consumption of alcohol is prohibited.

18.20 Betting premises cannot offer gambling facilities between the hours of 10pm on one day and 7am the next day. This is a default condition under the Act although the Licensing Authority does have discretion to either impose or exclude this default condition if appropriate. Betting Premises can make up to four gaming machines of category B2, B3 and B4, C or D available for use. The terminals commonly in use are able to provide both B2 and B3 content. Betting premises may also have Self-Service betting terminals (SSBT) which are not deemed to be gaming machines unless they can take bets on virtual races.

18.21 The Act defines a track as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place. At such events there can be on-course (operators who come onto a track temporarily while the event takes place such as Pool Betting), or off-course (such as those found on the high street). Whilst there are currently no tracks in Knowsley the following paragraphs briefly outline how such applications would be considered.

18.22 The Licensing Authority acknowledges that a track may be subject to one or more premises licence (each licence relating to a specified area of the track). In the event of an application the Licensing Authority will consider the impact upon the licensing objective for the protection of children and young persons and vulnerable persons from being harmed or exploited by gambling. There is the need to ensure that entrances to each type of premises are distinct and that children and young persons are excluded from gambling areas where they are not permitted to enter.

18.23 The Licensing Authority will expect an applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming

facilities. It is noted that children and young persons are permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

18.24 Applications and plans for tracks must be submitted to the Licensing Authority in accordance with the Act and regulations. The Licensing Authority may consider what measures may be necessary having regard to the licensing objectives such as;

- proof of age schemes.
- CCTV cameras.
- supervision of entrances and machine areas.
- physical separation of areas.
- location of entry.
- notices and signage.
- specific opening hours.
- self-exclusion schemes; and
- provision of information leaflets and helpline numbers for organisations such as GamCare.

18.25 Betting machines on tracks - when considering the number and nature of betting machines an operator proposes to offer, the Licensing Authority will take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people,

18.26 Gaming machines on tracks - where an applicant holds a pool betting operating licence and is going to use the entitlement of four gaming machines then these machines (other than category D machines) should be located in areas from which children are excluded.

(vi) Travelling fairs

18.27 The Act defines a travelling fair as 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. It should be noted that the 27-day statutory maximum for the land being used as a fair applies to the piece of land on which the fairs are held regardless of whether it is the same or different travelling fairs occupying the land.

18.28 Travelling fairs do not require a permit to provide gaming machines but must

comply with legal requirements about the way the machines operate. They may provide an unlimited number of category D gaming machines along with equal chance prize gaming, provided that the facilities for gambling amount to no more than an **ancillary amusement** at the fair.

18.29 The Licensing Authority is responsible for determining where a permit for gambling is required at a travelling fair, that is to determine whether the gambling facilities made available amount to more than an ancillary amusement.

19. Provisional Statements

19.1 The act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- Expects to be constructed.
- Expects to be altered; or
- Expects to acquire a right to occupy.

19.2 Developers may wish to apply for a provisional statement before they enter into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence.

19.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant must give notice of the application and submits plans in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal. However, in contrast to the premises licence application, there is no requirement for an applicant to hold an operating licence in order to apply for a provisional statement. It may be necessary for a premise to be fully inspected before an application can be properly considered.

19.4 Following the grant of a provisional statement, the holder can apply for a premises licence, and no further representations from responsible 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.

19.5 In addition, the Licensing Authority will only refuse the premises licence or grant it on terms different to those attached to the provisional statement by reference to matters outlined above.

20 Review of Premises Licence

- 20.1 Where there are reasonable concerns with an individual premise or a particular class of premise, the Licensing Authority can review the premises licence or licences. Requests for a review of a premises licence can be made by interested parties, responsible authorities, or the Licensing Authority itself.
- 20.2 Upon receiving an application for a review, the Licensing Authority will decide whether the reasons for applying are relevant. If in the opinion of the Licensing Authority the request is not relevant, then the request for review may be rejected. For example, applications that raise general or moral objections to gambling, or are in relation to planning, public safety or traffic congestion are unlikely to be considered relevant. Where an application for review is raised for repetitive reasons or based on objections that were considered on the initial grant of the licence, the Licensing Authority will consider the length of time that has passed since the last application was considered in deciding whether to accept the application.
- 20.3 Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28-day period. The Licensing Authority will carry out the review as soon as possible after the consultation period for making representations has passed.
- 20.4 The purpose of the review will be to determine whether any action in relation to the licence should be taken. If action is considered justified, the options open to the Licensing Authority include:
- Adding, removing or amending a licence condition.
 - Suspending the premises licence for a period not exceeding three months; and
 - Revoking the premises licence.

PART C

PERMITS, NOTICES AND LOTTERIES

21. Unlicensed Family Entertainment Centre (uFEC) Gaming Permits

- 21.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a permit. Such family entertainment centres (uFECs) are perhaps most commonly located at seaside resorts, in airports and at motorway service centres, and can offer any number of category D machines, along with equal chance prize gaming. Permits cannot be issued to vehicles or vessels.
- 21.2 The applicant must show that the premises will be wholly or mainly used for making category D gaming machines available for use. Therefore, where a building has multiple purposes, a permit cannot be granted for the entire building, for example, a bowling alley or shopping centre.
- 21.3 A uFEC permit will allow the holder to make available any number of machines, provided that fire regulations and health and safety are not hindered by the number of machines sited. For this reason, the Licensing Authority will require the applicant to submit a plan of the premises as part of the application.
- 21.4 When considering applications child protection issues are of paramount importance to the Licensing Authority. The Police must be consulted on all such applications and in accordance with the Gambling Commission guidance the Licensing Authority will require the applicant to demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible (applicable to the applicant and his/her staff).
 - That the applicant has no relevant convictions under Schedule 7 of the Act.
 - 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 such as the inclusion of measures to train staff in respect of suspected truanting children on the premises, dealing with unsupervised children or addressing children causing, or perceived to be causing problems on or about the premises.
- 21.5 A permit is valid for 10 years and must be renewed during the period beginning 6 months before it expires and ending 2 months before it expires.

22. Gaming Machines in Alcohol Licensed Premises

Automatic Entitlement

22.1 The act provides an automatic entitlement for premises licensed to sell alcohol for consumption on the premises to have **two gaming machines** (of category C or D). The alcohol licence holder must notify the Licensing Authority and pay the prescribed fee. The Licensing Authority has no discretion to consider the notification nor to refuse it, but can remove the automatic authorisation in respect of any particular premises if:

- The 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 Act, for example the gaming machine have been made available in a way that does not comply with the requirements on the location and operation of the machines.
- The premises are mainly used for gaming; or
- An offence under the Act has been committed on the premises.

22.2 If the person who gives the notification ceases to be the holder of the alcohol licence, the automatic entitlement to gaming machines also ceases to have effect. Therefore, when an alcohol licence is transferred, the new holder must also give a new notification to the Licensing Authority in order to continue to make gaming machines available.

23. Gaming Machine Permits

23.1 If a premises licensed to sell alcohol for consumption on the premises wish to have **more than 2 gaming machines** (of Category C or D) then it must apply for a permit. When determining such an application the Licensing Authority will consider the licensing objectives, guidance issued by the Gambling Commission and such other matters considered relevant.

23.2 Applications for more than 2 gaming machines will be considered on a case-by-case basis. Generally, the Licensing Authority will have regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling and will expect the applicant to demonstrate that there will be sufficient measures to ensure that under 18s do not have access to the adult only gaming machines and to protect of the vulnerable as far as possible. Such measures may include:

- Adequate supervision of the adult machines.
- Appropriate siting of machines in view of staff.
- Notices and signage.
- provision of information leaflets and helpline numbers for organisations such as GamCare.

- 23.3 The holder of a permit must also comply with the 'Gaming Machines in Alcohol Licensed Premises' code of practice issued by the Gambling Commission regarding the location and operation of the machine(s).
- 23.4 Some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely require an adult gaming centre premises licence. For this reason, the Licensing Authority may conduct a site visit as part of permit applications to ensure that machines are sited only within areas where the alcohol licence is in force, as well as to ensure adequate levels of supervision.
- 23.5 The Licensing Authority can grant an application for a permit, vary the number or category of machines authorised, or refuse the application if appropriate. Where the Licensing Authority is minded to vary or refuse, the applicant will be notified and given the opportunity to make representations. Permits will be issued for an indefinite period and continue in force for as long as the premise continues to have an alcohol licence and the holder of the permit continues to hold the alcohol licence. If required, the holder can apply to transfer the permit to change the name of the holder or vary the number or category of machines available for use.

24. Clubs

- 24.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for:
- A **club gaming permit**, which enables premises to provide gaming machines (up to three machines of categories B3A, B4, C or D), equal chance gaming and games of chance as set out in regulations, or;
 - A **club gaming machine permit**, which enables premises to provide up to three gaming machines of categories B3A, B4, C or D.
- 24.2 In either case, only one category B3A machine can be sited as part of these entitlements.
- 24.3 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. 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.
- 24.4 The Licensing Authority can grant or refuse an application but cannot attach conditions. Applications can only be refused on the grounds that:
- the applicant does not fulfil the requirements for a members' 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.
- an objection has been lodged by the Gambling Commission or the police.

24.4 Where the Licensing Authority is minded to refuse the application, the applicant will be notified and given the opportunity to make representations.

24.5 There is a **'fast-track' procedure** available under the Act for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the police, and the grounds upon which the Licensing Authority can refuse a permit are reduced. The grounds are:

- that the club is established primarily for gaming, other than gaming prescribed under the Act.
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

24.6 Permits will have effect for 10 years, unless they are issued under the 'fast track' procedure (see paragraph 22.5), then they will be issued indefinitely. The 10-year permit must be renewed during the period beginning 3 months before it expires and ending 6 weeks before it expires. A permit will automatically lapse if the holder of the permit stops being a club or miner's welfare institute, or if it no longer qualifies under the fast-track system for a permit. The Licensing Authority can also cancel the permit if:

- The premises are used wholly by under 18s; or
- An offence or breach of a permit condition has been committed during gaming activities by the permit holder.

25. **Prize Gaming Permits**

25.1 The Act defines gaming 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. Normally the prizes are determined by the operator in advance.

25.2 A prize gaming permit is issued by the Licensing Authority to authorise the

provision of facilities for gaming with prizes on specified premises. 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 cannot be made if a premises licence or club gaming permit is in effect for the same premises.

25.3 The Licensing Authority will have regard to the licensing objectives, the Gambling Commission's guidance and will require an applicant to demonstrate:

- that they understand the limits to stakes and prizes that are set out in regulations.
- that the gaming offered is within the law; and
- clear policies that outline the steps to be taken to protect children from harm.

25.4 The Licensing Authority can grant or refuse an application for a permit but cannot impose conditions. However, the permit holder must comply with the statutory conditions contained in the Act. Where the Licensing Authority is minded to refuse the application, the applicant will be notified and given the opportunity to make representations. A permit will be issued for a 10-year period and must be renewed during the period beginning 6 months before it expires and ending 2 months before it expires.

26. Temporary Use Notices

26.1 When the holder of an operating licence from the Gambling Commission wishes to use premises temporarily for providing facilities for gambling, they can give a Temporary Use Notice (TUN) to the Licensing Authority. A TUN must be lodged with the Licensing Authority not less than 3 months and 1 day before the event is due to take place. TUNs are often but not exclusively used to run poker tournaments, and might be used at premises such as hotels, conference centres and sporting venues.

26.2 A TUN may only be granted by the Licensing Authority to a person or company holding a relevant operating licence from the Gambling Commission. For example, the holder of a betting operating licence could apply to provide betting facilities at a snooker tournament. Consideration will therefore be given as to whether there will be remote gambling offered. TUNs cannot be used to provide gaming machines.

26.3 Regulations state that TUNs can only be used to permit the provision of facilities or equal chance gaming where the gaming is intended to produce a single winner. In relation to tournaments, this would not restrict the gaming to only one winner throughout the course of the tournament, providing there will ultimately be one final tournament winner. There can also be additional competitions running alongside the main event as long as each of these competitions also only provides one winner. Cash games (games where each hand provides a winner) are not permitted under a TUN.

- 26.4 Gambling under a TUN can only take place on a maximum of 21 days in any 12-month period for any or all of a named **set of premises**. It is noted that a set of premises could fall within different licensing districts, and the Licensing Authority will work closely with any other Authorities who are subject of the notice to ensure all limits are adhered to. In accordance with the Gambling Commission guidance the Licensing Authority would be likely to object to notices where it appears that their effect would be to permit regular gambling on large premises that could be described as a set of premises, for example a large exhibition centre with a number of exhibition halls.
- 26.5 If the Licensing Authority has concerns or receives valid objections from the Gambling Commission, the Police, HMRC, or any other Licensing Authority (if applicable), it may issue a counter notice which may not allow the event to take place, only allow a specified activity, amend the timings of the activity, or apply specified conditions to the TUN. The whole process of application will be completed with 6 weeks of the notice being lodged.

27. Occasional Use Notices

- 27.1 An occasional use notice (OUN) allows an operator licensed by the Gambling Commission to use a track for betting activity for up to 8 days per calendar year, without having to apply for a premises licence from the Licensing Authority. This is often used for events such as point to point races. Non-commercial fundraising race nights can also be run as betting events at sporting venues under the authority of an OUN.
- 27.2 For this purpose a piece of land or even a sporting venue could constitute a track, and the track does not have to be permanently established as long as races or sporting events take place or will take place there.
- 27.3 The operator must lodge a OUN notice to the Licensing Authority for each day that betting will take place at the track. The Licensing Authority has very little discretion in respect of these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

28. Small Society Lotteries

- 28.1 Registered societies must be non-commercial and a society is defined as non-commercial if it is established and conducted;
- for charitable purposes.
 - for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
 - for any other non-commercial purposes other than private gain.
- 28.2 In carrying out its functions in relation to lotteries the Licensing Authority will have regard to the Act, guidance issued by the Gambling Commission and any regulations issued by the Secretary of State.
- 28.3 Societies registered with the Licensing Authority will need to ensure that the

total value of tickets sold per single lottery is £20,000 or less, or the aggregate value of tickets to be sold for all lotteries in a calendar year does not exceed £250,000. If the society exceeds either of these limits, then they need to be licensed with the Gambling Commission to operate large lotteries.

APPENDIX A

RESPONSIBLE AUTHORITIES

The Licensing Authority

Community Protection

2nd Floor

Municipal Building

Archway Road

Huyton, Knowsley

Merseyside L36 9UX

Tel: (0151) 443 2300

E-mail: licensing@knowsley.gov.uk

Web: www.knowsley.gov.uk

The Gambling Commission

Victoria Square House

Victoria Square

Birmingham

B2 4BP

Web:

www.gamblingcommission.gov.uk

Environmental Health

Environmental Health

2nd Floor

Municipal Building

Archway Road

Huyton, Knowsley

Merseyside L36 9UX

Tel: (0151) 443 4728

E-mail:
environmentalhealth@knowsley.gov.uk

Web: www.knowsley.gov.uk

Merseyside Fire and Rescue Service

Knowsley District Protection,

Kirkby Community Fire Station

Webster Drive, Kirkby,

Knowsley L32 8BJ

Tel: (0151) 296 6679

E-mail:

protectionknowsley@merseyfire.gov.uk

Web: www.merseyfire.gov.uk

Merseyside Police

Licensing Unit

Walton Lane Police Station

Walton Lane

Liverpool

Merseyside,

L4 5XF

Tel: (0151) 777 4648

E-Mail:

E.BCU.Licensing.Unit@merseyside.pnn.police.uk

Web: www.merseyside.police.uk

Safeguarding and Social Care

Knowsley MBC

Municipal Buildings

Archway Road

Huyton, Knowsley

Merseyside, L36 9YU

Tel: (0151) 443 2680

The Planning Authority

Development Control

Municipal Buildings,

Archway Road,

Huyton Knowsley,

Merseyside L36 9YU

Tel: (0151) 443 2381

E-mail: dcsubmissions@knowsley.gov.uk

Web: www.knowsley.gov.uk

HM Revenue and Customs

National Registration Unit (Betting
and Gaming)

Portcullis House

21 India Street, Glasgow

G2 4PZ

APPENDIX B

GLOSSARY OF TERMS

This document contains a number of terms and this glossary aims to outline some of the key terms. Please contact the Licensing Authority if you require any further clarification or assistance.

1. **Adult gaming centre**

1.1 This is a place of gambling which excludes entry to children (persons under the age of 16) and access to young persons (persons aged 16 or 17) due to the presence of gambling activities thought unsuitable for under 18's. An Adult Gaming Centre requires an adult gaming centre premises licence under the Act.

1.2 An adult gaming centre may have:

- Up to four category B3 or B4 gaming machines;
- Any number of category C or D machines.

1.3 Categories of gaming machines are outlined in Appendix E.

2. **Betting**

Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not (spread betting is not included within this definition).

3. **Betting premises**

As well as betting shops, the definition of betting premises also includes those parts of tracks that allow on-course betting.

4. **Bingo**

4.1 There are essentially two types of bingo:

- Cash bingo, where the stakes paid make up the cash prizes that can be won.
- Prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.

5. **Casino**

A casino is an arrangement whereby people are given an opportunity to participate in one or more casino games.

6. Children and young persons

For the purposes of the act, children are defined as persons under the age of 16. Young persons are defined as those aged 16 or 17 years of age.

7. Home Office - The Department for Digital, Culture, Media & Sport (DCMS)

This is the Government department responsible for producing the act and regulating gambling in conjunction with the Gambling Commission and local authorities. Their website can be viewed at [Department for Digital, Culture, Media & Sport - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

8. Disorder

‘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” (Gambling Commission Guidance).

9. Equal chance gaming

Gaming which does not involve playing or staking against a bank.

10. Family Entertainment Centre (with a premises licence)

A licensed family entertainment centre requires a premises licence by virtue of its providing category C and D gaming machines.

11. Family entertainment centre (with a permit)

An unlicensed family entertainment centre does not require a premises licence by virtue of it providing only category D gaming machines. It does however require a family entertainment centre gaming machine permit.

12. Frivolous, irrelevant or vexatious

12.1 A representation (on an application for a premise licence) must be relevant if it is to be considered by the Licensing Authority. To be considered relevant a representation must meet one or more of the following criteria - a representation must:

- Relate to one or more of the licensing objectives,
- Raise issues noted in this document.

- Raise issues contained in the Gambling Commission's Guidance/Code of Practice.
- Relate to the premises that are the subject of the application.
- Not be frivolous (not serious, insignificant).
- Not be vexatious (lacking sufficient grounds for action and seeking only to cause annoyance).

13. Gambling

Gambling is defined in the Act as gaming, betting, or participating in a lottery.

14. Gambling Act 2005 (the Act)

The primary legislation that reforms gambling legislation and sets out the three licensing objectives in accordance with which decisions about premises licensed for gambling and some other gambling permits must be taken.

15. Gambling Commission

The Gambling Commission is the regulator of all commercial gambling in Great Britain (other than the national lottery which is administered by the National Lottery Commission and spread betting which is administered by the Financial Services Authority). The Gambling Commission will take a lead on formulating codes of practice to help gambling premises in the pursuit of the licensing objectives.

16. Gaming

Gaming is defined as playing a game of chance for a prize. A game of chance is a game, which involves both an element of chance and an element of skill, or where chance can be eliminated by superlative skill, or where the game is presented as involving an element of chance. The game cannot however include a sport.

17. Gaming machines

Any machine allowing any sort of gambling activity including betting on virtual events (exceptions include mobile phones and home computers)

18. Hearing (Licensing Sub-Committee)

In the context of the Act a hearing is an opportunity (where representations have been received) for a Licensing Sub-Committee to listen to evidence/representations for and against the granting of an application for a licence/permit. In light of the evidence and the principles outlined in this document, the Licensing Sub Committee will make a decision about whether to grant the application and whether to attach conditions to licences which are

necessary to ensure the operation is reasonably consistent with the licensing objectives.

19. Interested party

19.1 Under the Act, an interested party is a person who:

- a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities.
- b) Has business interests that might be affected by the authorised activities.

To determine 'who lives sufficiently close to the premises' and who has 'business interests that might be affected by the authorised activities', the Licensing Authority will consider the following on a case-by-case basis:

- *The size of the premises*
- *The nature of the premises*

In the case of interested parties the distance of the premises from the address of the person making the representation

- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises)
 - The 'catchment' area of the premises (i.e. how far people travel to visit).
- c) Represents persons who satisfy paragraph (a) or (b)

19.2 We believe it is in the best interests of ensuring the responsible management of gambling premises if local and expert knowledge is considered wherever relevant. To this end we consider the following parties may 'represent persons who satisfy paragraph (a) or (b)'

- Residents' associations and tenants' associations
- Trade associations and trade unions
- Local Councillors and MPs
- Any other person with written permission from somebody who satisfies paragraph 19.1 (a) or (b).

Please note: Whether or not a person is an 'interested party' under (a), (b) or (c) above is ultimately a decision of the Licensing Authority.

20. Licensing Authority

The local authority for the area which is responsible for licensing matters and issuing licences.

21. Licensing Sub-Committee (hearing)

A Sub Committee of the Licensing Authority that will hear and determine applications for licences and/or permits. A Sub-Committee consists of 3 Councillors. (See hearing above).

22. Lottery

A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where persons are required to pay to participate, and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where persons are required to pay to participate, and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).

- **23. Occasional Use Notice**

- An occasional use notice is for use by tracks where there is betting on eight days or less in a calendar year. In these circumstances, betting may be permitted by an occasional use notice without the need to apply for a full premises licence.

- **24. Operating licence**

Operating licences enable the licence holder of different premises types to operate that type of gambling premises. Only the Gambling Commission can issue operators licences of which there are ten types:

- Casino operating licence – enables holder to operate a casino.
- Bingo operating licence – enables holder to provide bingo facilities.
- General betting operating licence – to provide betting facilities other than pool betting.
- Pool betting operating licence – enables the holder to provide pool-betting facilities.
- Betting intermediary operating licence – enables the holder to act as a Betting intermediary.
- Gaming machine general operating licence – enables the holder to make gaming machines available for use in either an adult gaming centre or family entertainment centre.

- Gaming machine technical operating licence – enables the holder to manufacture, supply, install, adapt, maintain or repair gaming machines within categories A - D.
- Gambling software operating licence – enables the holder to manufacture, supply, install or adapt gambling software.
- Lottery operating licence – enables holder to promote a lottery
- Remote operating licence – enables the holder to carry on activities in respect of remote gambling or by means of remote communication.

25 Personal licence

This is the licence required by at least one person occupying a management position for gambling premises. This person will be named on the operating licence. An operating licence cannot be issued without a personal licence holder. Applications for personal licences must be made to the Gambling Commission. A personal licence lasts indefinitely unless it lapses or is surrendered, forfeited, or revoked.

26 Pool betting

For the purposes of the Act, pool betting is made on terms that all or part of the winnings:

- Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the persons betting.
- Shall be divided among the winners; or
- Shall or may be something other than money.
- Pool betting is horse-race pool betting if it relates to horse-racing in Britain.

27. Premises

‘Premises’ is defined in the Act as ‘any place’.

Only one premises licence may be issued for any particular premises at any one time (except in the case of track where there can be more than one premises licence provided each licence relates to a specific area of the track). It is for the Licensing Authority to decide on a case-by-case basis whether different parts of a building can be properly regarded as being separate premises. The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

Vessels are also considered to be premises for the purposes of the Act. The definition of a vessel is:

- Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water.
- A hovercraft; or
- Anything, or part of any place, situated on or in water.

The vessel must not be permanently moored or berthed. Other types of vessels are not permitted to allow commercial gambling.

28. Premises licence

28.1 This is the licence that allows a premises (including a vessel as defined above) to carry out gambling activities. Premises licences are not time-limited and there are five types of premises licence:

- Casino premises licence.
- Bingo premises licence.
- Adult gaming centre premises licence.
- Family entertainment centre premises licence.
- Betting premises licence.

28.2 **Please note:** holding an operating licence is a precondition to a premises licence. The only exception is with respect to betting premises licences, which allow tracks to be used for accepting bets without the requirement of holding an operating licence.

29. Prize gaming

Gaming is prize gaming for the purposes of the Act if neither the nature nor the size of the prize played for is determined by reference to the numbers of persons playing or the amount paid for or raised by the gaming.

30. Prize gaming permit

30.1 A prize gaming permit authorises a person to provide facilities for gaming with prizes on specified premises.

Private or non-commercial gaming

Gaming is private where:

- It takes place in a private dwelling and on a domestic occasion.
 - There is no charge for participation.
 - It is equal chance gaming (this requirement is not applicable for domestic or residential gaming).
 - It does not occur in a place to which the public have access.
- 30.2 Betting is private where it is domestic betting or workers' betting. Domestic betting is that where the betting is made on premises in which each party lives. Workers' betting is betting made between persons who have a contract of employment with the same employer.
- 30.3 Gaming is non-commercial where it takes place at a non-commercial event. Such an event is where no part of the proceeds is used for private gain. There are specific additional requirements for non-commercial prize-gaming and non-commercial equal chance gaming.
- 30.4 Betting is non-commercial where no party enters into the betting in the course of a business or holds himself/herself out as being in business in relation to the acceptance of bets.

31. Remote gambling

Gambling in which people participate using the internet, a telephone, television, radio or other kind of technology for facilitating communication.

32 Representation

A statement of opinion possibly including suggestions as to how any concerns may be addressed. Only those matters that are relevant to the licensing objectives may be considered and in the case of interested parties where they are not irrelevant, frivolous or vexatious.

33. Responsible authority

A public body that must be notified of applications and that is entitled to make representations to the Licensing Authority in relation to applications for premises licences. They may also request a review of the premises licence. In all cases, the representation and/or review must relate to the licensing objectives.

34. Temporary Use Notice

A temporary use notice allows the use of premises for gambling for up to 21 days in a 12-month period where there is no premises licence. The gambling operator (with an operating licence from the Gambling Commission) may use any premises temporarily for providing facilities for gambling.

35. Travelling fair

Under the Act, a fair means a fair consisting wholly or principally in the provision of amusements. It is a travelling fair if it is provided wholly or principally by persons who travel from place to place for the purpose of providing fairs and is at a place no part of which has been used for the provision of a fair on more than 27 days in that calendar year.

36. Tracks

Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place.

37. Vulnerable persons

A group of people including the following:

- People who gamble more than they want to;
- People who gamble beyond their means; and
- People who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability, or substance misuse relating to alcohol or drugs.

APPENDIX C

DELEGATION OF FUNCTIONS

Matter to be dealt with	Full Council	Licensing Sub-Committee	Officer
Licensing Statement	√		
Statement not to permit casino's	√		
Establishment of fees (as appropriate)	√		
Applications for premises licences		Where representations have been received and not withdrawn.	Where no representations have been received or representations have been withdrawn
Application for a variation to a premises licence		Where representations have been received and not withdrawn.	Where no representations have been received or representations have been withdrawn
Application for a transfer of a premises licence		Where representations have been received from the Gambling Commission.	Where no representations have been received from the Gambling Commission.
Application for a provisional statement.		Where representations have been received and not withdrawn.	Where no representations have been received or representations have been withdrawn
Review of a premises licence		√	
Application for a club gaming/club machine permit		Where representations have been received and not withdrawn.	Where no representations have been received or representations have been withdrawn

Cancellation of a club gaming/club machine permit		√	
Application for other permits			√
Cancellation of a licensed premises gaming machine permit			√
Consideration of temporary use notice			√
Decision to give a counter notice to a temporary use notice		√	

APPENDIX D

CATEGORIES OF GAMING MACHINES

Under the Act, gaming machines are divided into categories. These categories are defined by the maximum stake amount and the maximum prize. 'A' is the highest category, 'D' the lowest. Lower category gaming machines offer lower winnings, but also lower, more affordable (and therefore more accessible) stakes.

The category of machines offered by premises will determine the type of premises and therefore what sort of licence, permit or permission those premises will need. The information below is correct as of July 2024.

Category of machine	Maximum stake	Maximum prize	Allowed Premises
A	Unlimited	Unlimited	Regional Casinos
B1	£5	£10,000 (with the option of a maximum £20,000 linked progressive jackpot on a premises basis only)	Large Casino, Small Casino, Pre-2005 Act Casino and Regional Casinos B1 machines can only be made available in casinos. You must have either a non – remote 2005 Act casino operating licence or a non – remote 1968 Act casino operating licence to make them available
B2	£2	£500	Betting premises and tracks occupied by pool betting and all of the above
B3	£2	£500	Bingo premises, adult gaming centre and all of the above
B3A	£2	£500	Members' club or Miners' welfare institute only

B4	£2	£400	Members' club or Miners' welfare club, commercial club and all of the above
C	£1	£100	Family entertainment centre (with Commission operating licence), Qualifying alcohol licensed premises (without additional gaming machine permit), Qualifying alcohol licensed premises (with additional LA gaming machine permit) and all of the above.
D (money prize)	10p	£5	Travelling fairs, unlicensed (permit) Family entertainment centre and all of the above
D (non money prize) (other than a crane grab machine)	30p	£8	All of the above
D (non money prize) (crane grab machine)	£1	£50	All of the above
D – combined money and non money prize (other than a coin pusher)	10p	£8 (of which no more than £5 may be a money prize)	All of the above

or penny falls machine)			
D – combined money and non money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)	All of the above

APPENDIX E

**NUMBER AND CATEGORY OF GAMING MACHINES PERMITTED
ACCORDING TO PREMISES TYPE**

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines) within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines) within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines) or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)					
Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Family entertainment centre (with premises licence)						No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institute (with permits)					Maximum of 3 machines in categories B3A or B4 to D*		
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

* It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

** Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises.

Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater.

Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. From 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only, but not B3A machines.

APPENDIX F

ACCESS TO GAMBLING AREAS BY UNDER 18'S

Premises type or sector	Access to gambling areas	Participation in gambling
Adult gaming centres	Adults only	Adults only
Family entertainment centre with premises licence	Adults only in areas category C gaming machines are available.	Unrestricted participation in category D gaming machines (if in a separate part of the premises to category C machines)
Tracks: off-course betting	Adults only	Adults only
Tracks: on-course betting	Adults only in areas with category C gaming machines or above.	Adults only
	Under 18s may access areas with category D gaming machines	Under 18s may play category D gaming machines if separate from category B or C gaming machines
	Adults only in betting areas except on days dog / horse racing taking place	Adults only
Casinos (except regional)	Adults only	Adults only
Casinos (regional)	Adults only in gambling areas. Unrestricted access to non-gambling areas	Adults only
Bingo	Adults only in areas with category C gaming machines or above.	Adults only except for category D gaming machines which are open to all
Travelling fairs	Unrestricted access	Unrestricted participation in equal chance gaming and playing of category D gaming machines
Betting premises (other than tracks)	Adults only	Adults only
Family entertainment centre with permit	Unrestricted access	Unrestricted participation in equal chance prize gaming
	Unrestricted access to category D gaming machines and prize gaming	Unrestricted participation in category D gaming machines and prize gaming

Premises with consumption of alcohol on the premises	Access dependent on the conditions of the licence issued under the Licensing Act 2003	Adults only to participate in limited equal chance gaming AND category C gaming machines. Under 18s may play category D gaming machines
Prize gaming	Access depends on premises type	Under 18s may play equal chance prize-gaming only
Club gaming	Access dependent on club rules	Participation limited to members and their guests (which may include under 18s). Under 18s may participate in prize gaming, equal chance gaming or category D gaming machines only.
Lottery and football pools	Access to those aged 16 or over (subject to the type of premises on which the activities are provided)	Participation limited to those aged 16 or over
Remote gambling	Not applicable	Adults only except in the case of remote lottery where those aged 16 or over may participate
Fast food restaurants and other unlicensed premises	N/A	Gaming machines no longer permitted in these locations (subject to transitional provisions)
Temporary Use Notice	Access depends on premises type	Participation dependent on activity type

APPENDIX G –

Heat Map identifying gambling premises with key social and public risk factors.

A gambling “Heat map” has been developed which identifies the location of gambling premises in the borough of Knowsley and allows anyone using the map to select categories of public buildings and places of interest that are in the locale of the gambling premises.

The map can be accessed via the following link: [Gambling Area Profile \(sharepoint.com\)](#) And via the Knowsley Council web site ([web page link not yet created however will be by the time the policy is live on 26 July](#)).

This information enables areas of the borough to be identified where there are potentially greater concentrations of people who could be exposed to greater risk of gambling harm, either due to the accessibility of gambling establishments or their prevalence and visibility.

Using the heat map it will be possible to identify “hot spots” for premises based gambling activity. This will make it possible to target areas of the borough in the vicinity of the gambling premises that are regularly visited by residents to promote resources and support networks to assist individuals who are either vulnerable to, or have identified gambling issues

The heat map allows anyone using it to build up the layers of data to identify specific publicly accessible locations in the vicinity of gambling premises by selecting the relevant business or premises type from the legend.

Each premises or business type is represented by a dedicated colour marker, creating a visual representation of the gambling premises and desired premises or business type.

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