

19. Representations

The Licensing Authority may determine an application for a Premises Licence without a hearing, if it considers that the representations made are:

- vexatious
- frivolous, or
- will certainly not influence the authority's determination of the application.

If the Licensing Authority proposes to determine an application in this way, it will notify anyone who made a representation.(2005 Act s.162)

The Licensing Authority notes that the GC Guidance states that...

"Local authorities should be aware that moral objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives. An authority's decision cannot be based on 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). In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met." {GCG 5.27}

The Licensing Authority also notes that the GC Guidance states that...

"unlike the Licensing Act, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance. It would be helpful if licensing authorities could explain that objections to new premises or requests for a review should be based on the licensing objectives of the Gambling Act." {GCG 6.45}

20. Conditions

Any conditions attached to licences will be proportionate and will be...

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

The Licensing Authority will decide each application on its merits. Where appropriate it will consider using a number of control measures, such as the use of door supervisors or appropriate signage for 'adult only' areas etc.

The Licensing Authority expects the premises licence applicant to offer his/her own proposals to effectively meet the licensing objectives.

This policy includes specific comments on such issues under some of the licence types covered further below.

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

This authority will also ensure that where machines of category C or above offer in any premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This licensing authority is aware that tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. In such cases, the licensing authority will consider the impact upon the third licensing objective in accordance with GC Guidance and the need to ensure that entrances to each type of premises are distinct and that children are excluded from those gambling areas that they are not permitted to enter.

The Licensing Authority cannot attach certain conditions to premises licences. Those conditions are...

- Any condition on the premises licence that makes it impossible to comply with a condition on an operating licence;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions that require membership of a particular club or body (the 2005 Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions about stakes, fees, winning or prizes.

21. Door Supervisors

The GC Guidance advises that licensing authorities may consider whether door supervisors are needed in order to further the licensing objectives of "*protection of children and vulnerable persons from being harmed or exploited by gambling*" {GCG 5.19} and "*preventing premises becoming a source of crime*". {GCG 5.8}

The Licensing Authority notes that the Security Industry Authority cannot license door supervisors for casinos or bingo premises, so the Licensing Authority will make specific conditions if it considers that door supervisors are required at such premises.

Where supervision of entrances / machines is required for other premises, the Licensing Authority will decide with operators whether door supervisors should be licensed by the Security Industry Authority.

22. Specific types of premises

22.1 Adult Gaming Centres

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing

Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to the premises.

The Licensing Authority expects applicants to offer their own measures to meet the licensing objectives, such as the following, and may attach conditions to cover issues such as ...

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

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

22.2 Licensed Family Entertainment Centres

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to adult-only gaming machine areas.

The Licensing Authority expects applicants to offer their own measures to meet the licensing objectives, such as the following, and may attach conditions to cover issues such as ...

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

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

In accordance with GC Guidance, the Licensing Authority will check the Gambling Commission's website for any potential conditions on operating licences that cover delineation of areas containing category C machines.

[The Licensing Authority will also check for any mandatory or default conditions that apply to premises licences for Adult Gaming Centres, when published.]

22.3 Casinos**a) Casino proposals**

The Licensing Authority did not submit any proposal for a casino to the Independent Casinos Advisory Panel in early 2006, so Oxford will not be chosen as a location for one of the first 17 new casinos permitted under the 2005 Act.

b) 'No casino' resolution

[Paragraph to be deleted if not required] The Council is aware that it has the power to pass a 'no casino' resolution (2005 Act, s.166) but has not done so. Should the Council decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by full Council.

[Note for consultation copy]

[The Licensing and Gambling Acts Committee is minded to advise the Council that it should pass a 'no-casino' resolution for inclusion in the adopted Statement of Licensing Policy. The above paragraph may therefore be replaced by the following two paragraphs.]

[Paragraph to be deleted if not required] The Council has passed a 'no casino' resolution (2005 Act, s.166) at its meeting on {## ## 200#} on the basis that..... (insert details of how the decision was arrived at and on what basis)

[Potential licence applicants should note that as a 'no-casino' resolution has been passed by this authority no applications for casino premises licences will be considered. Any applications received will be returned with a notification that a 'no-casino' resolution is in place.]

[I PROPOSE TO DELETE TO THE END OF THIS SECTION ON CASINOS. HOWEVER, YOU MAY WANT TO RETAIN WORDING SUCH AS ...

The remainder of this section on casinos appears in this statement of licensing policy for consistency with other licensing authorities. It has no role whilst a 'no casino' resolution remains in effect.]

c) Casinos and competitive bidding

If circumstances arise where a number of operators want to run a casino in the area, the Council will run a 'competition' as required under the 2005 Act, Schedule 9 in line with any regulations issued under the 2005 Act.

d) Betting machines in casinos

The Licensing Authority notes that the section 181 of the 2005 Act contains an express power for licensing authorities to restrict the number of betting machines in casinos. {GCG 16.33} If the Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

e) Credit

The Licensing Authority notes that section 177 of the 2005 Act does not prevent a casino licensee from permitting the installation of cash dispensers (ATMs) on the premises. {GCG 9.11} If the

Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

22.4 Bingo premises

The Licensing Authority notes that the GC Guidance states that...

It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- *all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;*
- *only adults are admitted to the area where the machines are located;*
- *access to the area where the machines are located is supervised;*
- *the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and*
- *at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.*

The Licensing Authority will similarly note any further GC Guidance on the issues of suitability and layout of bingo premises.

22.5 Betting premises

a) Betting machines

When considering the number/nature/circumstances of betting machines an operator wants to offer, the Licensing Authority will follow the GC Guidance and take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by vulnerable people or by children or young persons. {GCG 19.10}

22.6 Tracks

The Licensing Authority notes that tracks are different from other premises in that:

- there may be more than one premises licence in effect provided each licence relates to a specified area of the track, and
 - track operator may not be required to hold an operating licence as there may be several premises licence holders at the track which will need to hold their own operating licences.

The Licensing Authority expects applicants for premises licences for tracks to demonstrate suitable measures to ensure that children do not have access to 'adult only' gaming facilities.

The Licensing Authority notes that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although not

permitted to enter areas where gaming machines (other than category D machines) are provided. It will especially consider the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter, in furtherance of the licensing objective to ensure the protection of children and vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority expects applicants to offer their own measures to meet the licensing objectives, such as the following, and may attach conditions to cover issues such as ...

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

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

a) Gaming machines at tracks

The Licensing Authority notes the GC Guidance that licensing authorities need to consider the location of gaming machines at tracks. An applicant for a track premises licence who plans to use any entitlement to four gaming machines (due to holding a pool betting operating licence) will need to demonstrate that machines (other than category D gaming machines) are located in areas from which children are excluded.

The Licensing Authority will similarly note any further GC Guidance on the location and supervision of gaming machines at tracks.

b) Betting machines at tracks

Licensing authorities have a power under the 2005 Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. The Licensing Authority notes that the GC Guidance states that...

"In relation to betting premises away from tracks, the Commission is proposing that licensing authorities should take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. Licensing authorities will want to consider restricting the

number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.” {GCG 20.15}

c) Condition on rules being displayed

The Licensing Authority notes GC Guidance, which states that...

“...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.” {GCG 20.29}

d) Applications and plans –

The Licensing Authority is in accordance with the Gambling Commission's suggestion "... that licensing authorities gain a proper understanding of what they are being asked to license..."

Subject to regulations, which will set-out any specific requirements for applications for premises licences the Licensing Authority requires an application for a track betting premises licence to include detailed plans of:

- the racetrack itself;
- the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring");
- any area that will be used for fixed and mobile pool betting facilities operated by the Tote or track operator in the case of dog tracks and horse racecourses);
- areas proposed for any other gambling facilities.

Those plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

The Licensing Authority notes that,

"In the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises" {GCG 20.22}

22.7 Travelling Fairs

The 2005 Act allows travelling fairs to make available category D gaming machines and / or equal chance prize gaming without a permit, provided that they comply with the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair. The Licensing Authority has the power to decide whether travelling fairs comply.

The Licensing Authority may also consider whether the applicant falls within the statutory definition of a travelling fair.

Regardless of which travelling fairs occupy a site, if a site is used by fairs for more than the 27-day statutory maximum in a calendar year a permit is required for use of gaming machines and / or equal chance prize gaming. The Licensing Authority will liaise with adjoining authorities to ensure that statutory limits are not exceeded for land that straddles its area boundaries.

23. Provisional Statements

The 2005 Act provides for applications for Provisional Statements where premises are not complete. So, until the premises in which the applicant proposes to offer the gambling are ready to be used for gambling, the Licensing Authority will not grant a Premises Licence.

The Licensing Authority notes that the GC Guidance states that...

"It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully". {GCG 7.51}

Following grant of a Provisional Statement, the Licensing Authority cannot consider representations on the subsequent application for a premises licence 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.

Under the 2005 Act, the Licensing Authority may refuse the Premises Licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- that could not have been raised by objectors at the Provisional Licence stage; or
- that in the authority's opinion reflects a change in the operator's circumstances.

The Licensing Authority notes that the GC Guidance states that...

"A licensing authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal." {GCG 7.48}

24. Reviews

Interested parties or responsible authorities can request a review of a Premises Licence. However, it is for the Licensing Authority to decide whether to review the licence. The Licensing Authority will consider whether the request is...

- Frivolous;
- Vexatious;
- Certain not to cause the Licensing Authority to wish to alter, revoke or suspend the licence; or
- Substantially the same as previous representations or requests for review.

The Licensing Authority will also consider whether the request is relevant to the following matters...

- In accordance with any relevant Code of Practice issued by the Gambling Commission;

- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with this statement of licensing policy.

The Licensing Authority can also initiate a review of a licence on the basis of any reason that it considers appropriate.

by

PART C: PERMITS, TEMPORARY & OCCASIONAL USE NOTICES**25. Unlicensed Family Entertainment Centre gaming machine permits****(Statement of Principles on Permits (2005 Act, Schedule 10, para.7))**

Where a premises has no Premises Licence but the user wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (2005 Act, s238).

The 2005 Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit; and that it shall have regard to the GC Guidance and may (but need not) have regard to the licensing objectives in preparing this statement or considering applications, or both.

The Licensing Authority notes that the GC Guidance states that...

"In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits ... licensing authorities will want to give weight to child protection issues. " {GCG 24.6}

The GC Guidance also states:

"An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application ... Licensing authorities might wish to consider asking applicants to demonstrate:

- *a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;*
- *that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and*
- *that staff are trained to have a full understanding of the maximum stakes and prizes."* {GCG 24.7}

The Licensing Authority cannot attach conditions to this type of permit.

Statement of Principles

EITHER ¹

[The Licensing Authority expects each applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Licensing Authority will consider on their individual merits the efficiency of such policies and procedures, which may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with any unsupervised very young children on the premises, or children causing perceived problems on or around the premises.

¹ If the authority decides not to adopt a Statement of Principles, it will need to have a reason why it has not followed the GC Guidance in this regard {GCG 24.7}

In accordance with GC Guidance, the Licensing Authority will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres; that the applicant has no relevant convictions (as set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.]

OR

[The Licensing Authority has not currently adopted a Statement of Principles, however if it does so a copy will be made available on request. Potential applicants and other interested persons should use the contact details (inside front cover) to check if a Statement of Principles has been adopted.]

**26. Alcohol-licensed premises gaming machine permits
(2005 Act, Schedule 13 para 4(1))**

26.1 Notification for up to two gaming machines

The 2005 Act provides for premises licensed to sell alcohol for consumption on the premises (other than as part of a meal), to have up to 2 gaming machines of either category C or D or one of each. Authorisation is automatic if the person responsible for the premises notifies the Licensing Authority.

The Licensing Authority can remove the automatic authorisation for any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of s. 282 of the 2005 Act. (This requires a fee and written notice to be provided to the Licensing Authority, and compliance with any relevant code of practice issued by the Gambling Commission about the location and operation of the machine);
- the premises are mainly used for gaming; or
- an offence under the 2005 Act has been committed on the premises.

26.2 Permit for more than two gaming machines

A premises manager wanting more than 2 machines on the premises must apply for a permit and the Licensing Authority must base its consideration of that application based upon the licensing objectives, any GC Guidance, and "such matters as they think relevant."

The Licensing Authority considers that "such matters" will be decided on the merits of each case. However, it will have general regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. It will expect the applicant to demonstrate use of adequate measures to ensure that persons under 18 years old do not have access to 'adult only' gaming machines.

For this purpose, the Licensing Authority may be satisfied of the adequacy of measures that may include...

- Siting all 'adult' machines in sight of bar staff, or of other staff who will prevent use of those machines by those under 18.
- Appropriate notices and signage

The Licensing Authority expects applicants to consider providing information leaflets or helpline numbers for organisations such as GamCare for the benefit of vulnerable persons.

A Licensing Authority can decide to grant a permit with fewer machines or a different category of machines than stated in the application. It can attach no conditions other than these.

The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

The Licensing Authority will distinguish between those parts of premises that are licensed for the consumption of alcohol on the premises (other than as part of a meal) and other parts. Gaming machines may not be provided in those other parts of the premises without a premises licence for an Adult Gaming Centre.

27. Prize Gaming Permits

(Statement of Principles on Permits - Schedule 14 para 8 (3))

The 2005 Act states that a licensing authority may *"prepare a statement of principles that they propose to apply in exercising their functions under this Schedule"* which *"may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit"*. {2005 Act Schedule 14 8 (1)}

The Licensing Authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any GC Guidance.

It should be noted that there are conditions in the 2005 Act by which the permit holder must comply, but that the Licensing Authority cannot attach further conditions.

The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

28. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for either...

- a Club Gaming Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in [forthcoming] regulations; or
- a Club Gaming Machine Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D) without other gaming.

The Licensing Authority notes GC Guidance that ...

"Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. 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." {GCG 25.6}

And that ...

"Before granting the permit the authority will need to satisfy itself that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18." {GCG 25.17}

The Licensing Authority notes that:

"Licensing authorities may only refuse an application on the grounds that:

- *the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;*
- *the applicant's premises are used wholly or mainly by children and/or young persons;*
- *an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;*
- *a permit held by the applicant has been cancelled in the previous ten years; or*
- *an objection has been lodged by the Commission or the police*
{GCG 25.21}

There is a 'fast-track' procedure available, under the 2005 Act, for premises that hold a Club Premises Certificate under the 2003 Act. The GC Guidance states...

"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced" {GCG 25.23}

and

"The grounds on which an application under the process may be refused are:

- *that the club is established primarily for gaming, other than gaming prescribed under schedule 12;*
- *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.* {GCG 25.24}

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

29. Temporary Use Notices

Temporary Use Notices are subject to a number of statutory limits.

The Licensing Authority is responsible for deciding what constitutes the extent of a 'set of premises' to which a Temporary Use Notice applies, where separate notices are received for different parts of the same building or site.

The Licensing Authority notes GC Guidance that...

"... the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. A large exhibition centre, for example, would be likely to come within the definition as it is properly one premises, and should not be granted a temporary use notice for 21 days in respect of each of its exhibition halls. But in relation to other covered areas, such as shopping centres, the licensing authority will need to consider whether different units are in fact different "sets of premises", given that they may be occupied and controlled by different people. This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises." {GCG 14.5}

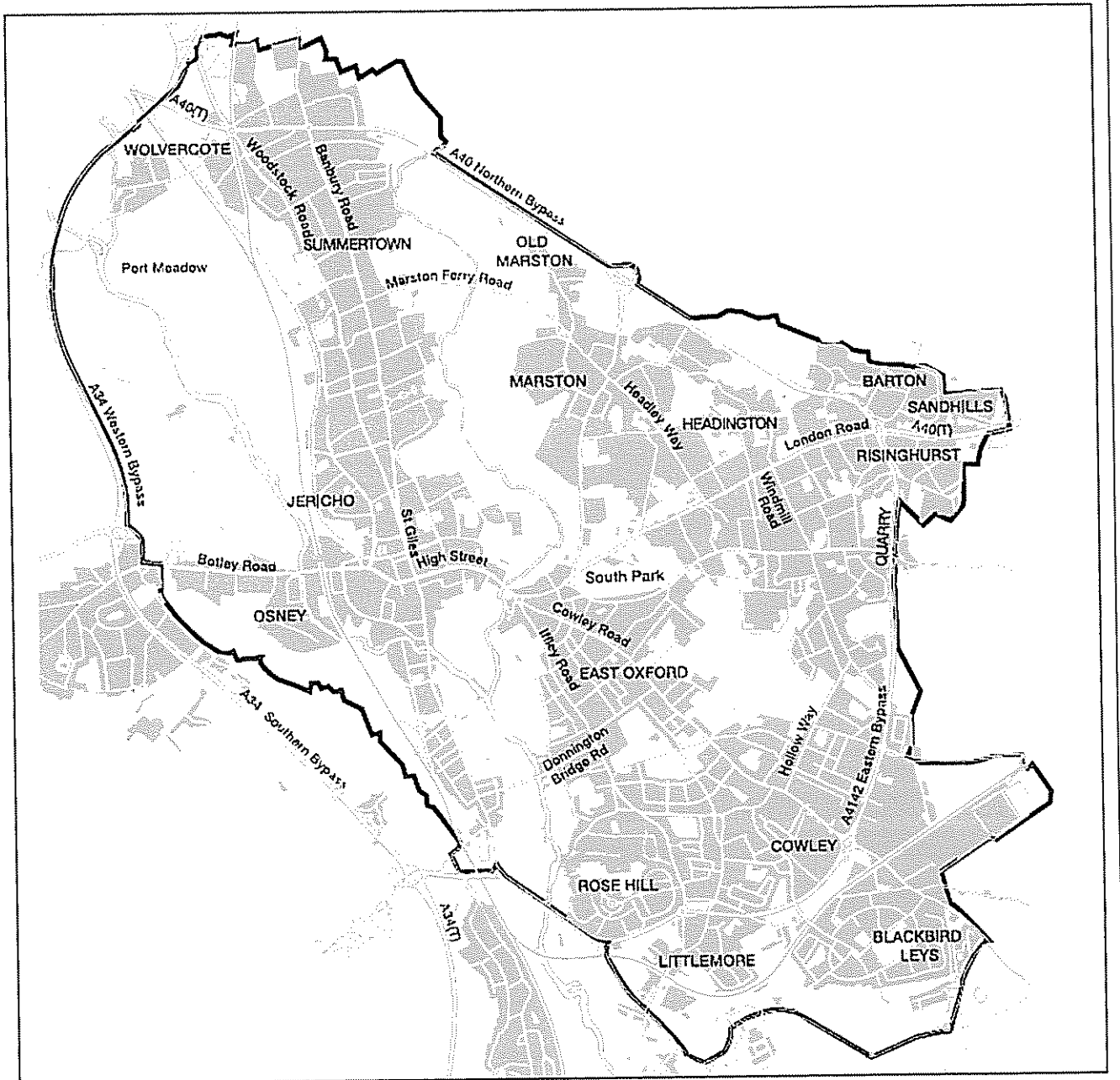
30. Occasional Use Notices:

The Licensing Authority has very little discretion in determining Occasional Use Notices, other than ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

However, the Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to use such a notice.

APPENDICES

Appendix 1 – Map of Oxford



Appendix 2 – Licensing Authority delegations

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Review of a premises licence		X	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no representations received or all have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

X Indicates the lowest level to which decisions can be delegated

Appendix 3 – Gaming machines

3.1 Gaming machine categories

[This information has not yet been made formal by legislation]

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£2	£4,000
B2	£100	£500
B3	£1	£500
B4	£1	£250
C	50p	£25
D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize

See overleaf for the numbers of machines permitted in particular premises

3.2 Gaming machines – permitted numbers

[This information has not yet been made formal by legislation]

Premises Type	Machine category						
	A	B1	B2	B3	B4	C	D
Regional casino (machine/table ratio of 25-1 up to maximum)	Maximum of 1250 machines Any combination of machines in categories A to D, within the total limit of 1250 (subject to table ratio)						
Large casino (machine/table ratio of 5-1 up to maximum)	Maximum of 150 machines Any combination of machines in categories B to D, within the total limit of 150 (subject to 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, within the total limit of 80 (subject to table ratio)						
Pre-2005 Act casinos (no machine/table ratio)	Maximum of 20 machines categories B to D or C or D machines instead						
Betting premises and tracks occupied by Pool Betting	Maximum of 4 machines categories B2 to D						
Bingo Premises	Maximum of 4 machines in category B3 or B4 No limit C or D machines						
Adult gaming centre	Maximum of 4 machines in category B3 or B4 No limit 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 institutes with permits	maximum of 3 machines in categories 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 as specified on permit						
Travelling fair	No Limit on Category D machines						
	A	B1	B2	B3	B4	C	D

Appendix 4 – Responsible Authorities

The Responsible Authorities for the Oxford City Council area under the 2005 Act, and their contact details are as follows.

Contact details may change, and other responsible authorities may be designated by regulations by the Secretary of State. For latest information, please check with the Licensing Authority (contact details inside front cover).

Responsible Authority	Address	Contact details for preliminary discussions or follow-up enquiries	
		Phone	Email and website
The Licensing Authority	The Licensing Authority Oxford City Council 10, St Ebbe's Street OXFORD OX1 1PT	01865 252565	licensing@oxford.gov.uk www.oxford.gov.uk/licensing
The Planning Authority	The Planning Authority Oxford City Council 10, St Ebbe's Street OXFORD OX1 1PT	01865 249811	planning@oxford.gov.uk www.oxford.gov.uk
Environmental Health	Environmental Protection Oxford City Council 10, St Ebbe's Street OXFORD OX1 1PT	01865 252296	 www.oxford.gov.uk
Gambling Commission	Gambling Commission Victoria Square House Victoria Square BIRMINGHAM B2 4BP	Tel: 0121 230 6500 Fax: 0121 237 2236	info@gamblingcommission.gov.uk www.gamblingcommission.gov.uk
Thames Valley Police	Thames Valley Police Licensing Office St. Aldate's Police Station OXFORD OX1 1SZ	01865 266109	LicensingOxford@thamesvalley.pnn.police.uk
Fire and Rescue Service	Fire and Rescue Service Oxfordshire County Council Rewley Road Fire Station OXFORD OX1 2EH	01865 242223	
Oxfordshire Safeguarding Children Board	[Details awaited]		

Responsible Authority	Address	Contact details for preliminary discussions or follow-up enquiries	
		Phone	Email and website
Customs and Excise	Her Majesty's Commissioners of Customs and Excise [Details awaited]		
Navigation Authority (IF APPLICABLE)			
Any other person prescribed for the purpose by regulations made by the Secretary of State.			

Adjacent licensing authorities

Where premises straddle an area boundary, a licensing authority for the area in which the premises are partly situated is also a Responsible Authority.			
Responsible Authority	Address	Contact details for preliminary discussions or follow-up enquiries	
		Phone	Email and website
(The licensing authority)	The Licensing Authority Cherwell District Council Bodicote House Bodicote BANBURY OX15 4AA	01295 252535	~ www.cherwell-dc.gov.uk
(The licensing authority)	The Licensing Authority South Oxfordshire DC Benson Lane Crowmarsh Gifford WALLINGFORD OX10 8HQ	01491 823000	~ www.southoxon.gov.uk
(The licensing authority)	The Licensing Authority Vale of White Horse DC Abbey House ABINGDON OX14 3JE	01235 520202	~ www.whitehorsedc.gov.uk