

**NORTH LINCOLNSHIRE COUNCIL**

**LICENSING (ACTIVITIES) SUB-COMMITTEE**

**APPLICATION FOR A VARIATION OF A LICENSED PREMISES GAMING  
MACHINE PERMIT – GAMBLING ACT 2005  
FOR THE PREMISES KNOWN AS  
PRIORY, ASHBY ROAD, SCUNTHORPE, NORTH LINCOLNSHIRE**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To request that Members of this Sub-Committee determine the application for a variation of Gaming Machine Permit.
- 1.2 The application is attached as Appendix A for information.

**2. BACKGROUND INFORMATION**

- 2.1 In accordance with the Gambling Act 2005 and our Statement of Principals, the Sub-Committee is required to determine applications for Gaming Machines.
- 2.2 Schedule 9 of the Gaming Act 1968 allows the council to refuse to grant permits in respect of certain classes of premises and to limit the number of machines which may be made available for gaming on the premises.
- 2.3 For applicants wishing to site up to four machines, Officers of the Licensing Division have delegated power to issue. In all other cases applications for more than four machines are required to be placed before the Sub Committee.
- 2.4 When considering an application for more gaming machines, the Sub Committee may allow a greater number of machines, having considered all the information given at the hearing with regard to the layout and operation of the premises.
- 2.5 Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts. Members of the Licensing (Activities) Sub-Committee should not hear or decide on any applications for premises in their own ward.

- 2.6 Members shall remember that they are acting in a quasi-judicial role in determining the application and shall remain in the room so that they hear all the evidence before determining the application.
- 2.7 The options available to the Licensing (Activities) Sub-Committee having considered all the relevant information are as follows:
- To refuse the application
  - To grant the application with conditions restricting the number of machines
  - To grant the application as applied for
- 2.8 Members should be advised that the applicant may appeal to the Magistrates Court within 21 days of the date on which they were notified of the decision.

### **3. ISSUES FOR CONSIDERATION**

- 3.1 The application for a variation of gaming machine permit for five machines was received on 20 May 2013 (a copy is attached as Appendix A for information)
- 3.2 No plan of the premises was submitted with this application.
- 3.3 The premises currently have four gaming machines on the premises (a copy of the permit is attached as Appendix B for information).
- 3.4 The applicants authorised agent has been made aware the application has to go before this Sub-Committee.

### **4. FURTHER INFORMATION & CLARIFICATION**

- 4.1 An internal plan of the premises will be made available at the meeting.

### **5. RECOMMENDATIONS**

- 5.1 That Licensing (Activities) Sub Committee determine the application in accordance with the information contained within this report and having had due regard to the applicants representation.
- 5.2 That Licensing (Activities) Sub Committee determine the application in accordance with the options in paragraph 2.7, and attach such conditions considered necessary.
- 5.3 That Licensing (Activities) Sub Committee provide the reasons for their decision.

## DIRECTOR OF PLACES

Civic Centre

Scunthorpe

North Lincolnshire

Author: Jill Musgrave

Date: 4 June 2013

**Background Papers used in the preparation of this report**

**GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:  
CONVERSION / NEW / VARIATION / TRANSFER**

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

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

To: North Lincolnshire Council  
 Licensing Section , Church Square House , Po Box 42; High Street , Scunthorpe , DN42 6XQ

<p><b>SECTION A – What do you want to do?</b></p> <p>1. Please indicate what you would like to do</p> <p>a) Apply to <b>convert</b> an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit where you want more than 2 gaming machines  <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>b) Apply for a <b>new</b> licensed premises gaming machine permit where you want more than 2 gaming machines  <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>c) Apply to <b>vary</b> an existing licensed premises gaming machine permit  <i>(if you choose this option then please complete sections B, D and E)</i></p> <p>d) Apply to <b>transfer</b> an existing licensed premises gaming machine permit  <i>(if you choose this option then please complete sections C, D and E)</i></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><b>X</b></p> <p><input type="checkbox"/></p>												
<p><b>SECTION B – Application for grant (includes <u>conversion</u>, <u>new</u> and <u>variation</u> applications)</b></p> <p>2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provide? (please complete the boxes in the table)</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Category machine</th> <th style="padding: 5px;">Number currently authorised to provide</th> <th style="padding: 5px;">Number wish to provide (new or variation)</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">C</td> <td style="padding: 5px;">4</td> <td style="padding: 5px;">5</td> </tr> <tr> <td style="padding: 5px;">D</td> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> </tr> <tr> <td style="padding: 5px;">Total:</td> <td style="padding: 5px;">4</td> <td style="padding: 5px;">5</td> </tr> </tbody> </table> <p>3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided.</p> <p align="right">Existing permit provided*</p> <p><i>(Reasons why existing permit cannot be provided)</i></p> <p>.....</p>	Category machine	Number currently authorised to provide	Number wish to provide (new or variation)	C	4	5	D			Total:	4	5	<p><b>X</b></p>
Category machine	Number currently authorised to provide	Number wish to provide (new or variation)											
C	4	5											
D													
Total:	4	5											

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

GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:  
CONVERSION / NEW / VARIATION / TRANSFER

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

**Section C – Application for permit transfer** (i.e. where a transfer has been requested for the Licensing Act 2003 premises licence)

4. Name of person requesting the transfer

.....

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

Requested

Granted

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

Existing permit provided

Reasons why existing permit cannot be provided

.....

**Section D – General Information**

**7. NAME OF PREMISES:** Priory

**8. ADDRESS OF PREMISES:** Ashby Rd, Scunthorpe DN16 2AB

**9. TELEPHONE NUMBER OF PREMISES:** UNKNOWN

**10. NAME OF EXISTING PREMISES LICENCE HOLDER:** Greene King Retailing Ltd

**11. ADDRESS OF PREMISES LICENCE HOLDER:** WESTGATE BREWERY, ABBOT HOUSE, BURY ST EDMUNDS, SUFFOLK IP33 1QT

**12. DAYTIME TELEPHONE NUMBER OF PREMISES LICENCE HOLDER:** 01284 763222

**13. E-MAIL ADDRESS OF PREMISES LICENCE HOLDER:** UNKNOWN

**14. AGENT (E.G. SOLICITOR) IF SUBMITTED ON BEHALF OF THE APPLICANT:**

Gamestec Leisure Ltd, Unit B12 Wira House, Ring Road, Leeds LS16 6ER  
Telephone: 01132589495

**15. LICENSING ACT 2003 PREMISES LICENCE REFERENCE (I.E. NUMBER)**

GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2  
MACHINES:  
CONVERSION / NEW / VARIATION / TRANSFER

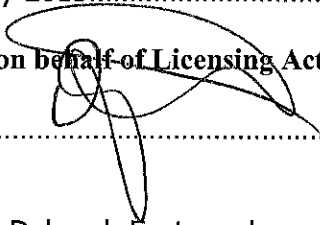
(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE  
PREMISES)

**Section E – Fee and Signature(s)**  
*I enclose a cheque payable North Lincolnshire Council )*

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

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

Dated...17 May 2013.....

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


.....

**Print Name**...Deborah Eastwood.....

\* If you wish to have more than 2 gaming machines then please check the fee payable.

**Official Use Only**

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

**Name of staff member who received application form:** .....

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

**Name of staff member who received fee:** .....

**Application accepted / returned (please delete as appropriate)**

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

**GAMING MACHINE PERMIT APPLICATIONS FOR MORE THAN 2 MACHINES:  
CONVERSION / NEW / VARIATION / TRANSFER**

**Guidance notes:**

1. This form is to be used for the **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
1. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
2. The gaming machines must be located on these licensed premises.
3. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
4. There is no statutory limit to the number of machines, which may be applied for although the licensing authority has some discretion in this regard.
5. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable within 30 days of the date of issue of the permit and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50 (to be confirmed). There are no annual fees payable for 2 machines or less.
6. Two types of gaming machines may be located in alcohol licensed premises. These are:
  - Category C: Maximum stake = 50p / Maximum prize = £70
  - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
7. **All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005.** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission.
8. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.



**GREENE KING**  
BURY ST EDMUNDS

13<sup>th</sup> May 2013

To Whom It May Concern:

Dear Sir


**RE: APPLICATION FOR GRANT OF GAMING MACHINE PERMIT (LPN AND  
LPGMP) - GAMBLING ACT 2005**

I wish to confirm that Gamestec Leisure Limited are authorised to act as the agent of this Company, its subsidiaries, tenants and leaseholders with regard to permit applications and notifications enabling the operation of fruit machines on our various premises.

I confirm that I have been provided with a summary of the Code of Practice as laid down in the Gambling Act and understand that Premises Licence Holders are responsible for ensuring that each of site upholds this.

Yours faithfully

.....Signature

.....Print

Head of Machines

on behalf of:



## SCHEDULE 13

Regulation 4

This form is prescribed by Regulation 4 of the  
Gambling Act 2005 (Licensing Premises Gaming Machine Permits)  
(England and Wales) Regulations 2007



[www.northlincs.gov.uk](http://www.northlincs.gov.uk)

### Licensed Premises Gaming Machine Permit

No: **AWP/11402**

This licensed premises gaming machine permit authorises

**Greene King Retailing Limited  
Westgate Brewery  
Bury St Edmonds  
Suffolk  
IP33 1QT**

to make gaming machines, of the category and number specified below, available for use on the following premises:

**Priory Hotel  
Ashby Road  
Scunthorpe  
North Lincolnshire  
DN16 2AB**

Number of Category C gaming machines authorised for this permit: **4**

Number of Category D gaming machines authorised for this permit: **0**

Date of which this permit takes effect: **3 June 2010**

This permit is issued by:

**North Lincolnshire Council  
Neighbourhood & Environment, Licensing Division,  
Church Square House, P O Box 42,  
Scunthorpe, North Lincolnshire,  
DN15 6XQ**