

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

**GAMBLING ACT 2005
GAMING MACHINE PERMITS**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To propose a change to the current scheme of delegation when determining applications for gaming machine permits in premises licensed to sell alcohol.

2. BACKGROUND INFORMATION

- 2.1 Gambling is controlled in accordance with the Gambling Act 2005. In accordance with the legislation the Council is required to have Statement of Principles.
- 2.2 Where a premises is licensed to sell alcohol under the Licensing Act 2003, they are entitled to provide certain gaming machines. A premises licence holder can provide a notification that they wish to provide two machines, or they can apply for a permit to provide more than two machines. In accordance with our Statement of Principles an application for five or more machines must be referred to the Licensing (Activities) Sub-Committee for consideration.
- 2.3 Experience has shown that having a specified numerical limit on how applications are determined can be problematic. Allowing three or four gaming machines in small premises where no more than two are suitable could be an issue, while in contrast allowing five or six in a larger premises might not cause an issue. Therefore, it is proposed that the scheme of delegation be changed to allow the Licensing Manager or Licensing and Mediation Officer in his absence to consider if the number of machines are suitable for the size and layout of the premises. Where there is a doubt, then the application would be referred to the Licensing (Activities) Sub-Committee for determination.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – To maintain the scheme of delegation as it currently stands.

- 3.2 Option 2 – To accept the proposed change to the scheme of delegation and allow the Licensing Manager and the Licensing and Mediation Officer in his absence to determine applications which are deemed to be suitable and refer those where there is a doubt to the Licensing Activities Sub-Committee for their consideration.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – Maintaining the current policy means that a Licensing (Activities) Sub-Committee needs to be arranged every time an application is received where the premises would like to use five or more machines. This does not consider the suitability of the premises.
- 4.2 Option 2 – Where a premises is suitable for the number of machines applied for, then the Licensing Manager or Licensing Mediation Officer in his absence would be able to approve the application. Where there is a doubt due to the size or layout of the premises, then the application will be referred to the Licensing (Activities) Sub-Committee for consideration. Where an objection is received then again, the application will be referred to the committee for determination.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 There are no financial, staffing, property or IT implications from this report.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

- 6.1 Statutory – Gambling Act 2005.
- 6.2 There are no environmental, diversity, section 17, crime and disorder, risk or other implications from this report.

7. OUTCOMES OF CONSULTATION

- 7.1 No consultation has been carried out regarding this report.

8. RECOMMENDATIONS

- 8.1 That the scheme of delegation be reviewed in accordance with the options presented in this report.

DIRECTOR OF PLACES

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Background Papers used in the preparation of this report – Deregulation Bill