



NORTH HERTFORDSHIRE DISTRICT COUNCIL

GAMBLING ACT 2005: STATEMENT OF PRINCIPLES

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Note: All references to the Gambling Commission's Guidance to Licensing Authorities refer to the 3rd Edition published in May 2009.



PART A

1. The Licensing Objectives

1.1 In exercising most of its functions under the Gambling Act 2005 North Hertfordshire District Council, acting as the licensing authority, must have regard to the licensing objectives as defined in section 1 of the Act. The three licensing objectives 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; and*
- (iii) *protecting children and other vulnerable persons from being harmed or exploited by gambling.*

1.2 The licensing authority recognises that the Gambling Commission has stated:

“The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.”

1.3 The licensing authority is aware that, in making decisions in respect of premises licences and temporary use notices, section 153 of the Act prescribes that it should “*aim to permit*” the use of premises for gambling in so far as it is satisfied that the application is:

- (i) in accordance with any relevant code of practice issued by the Gambling Commission;
- (ii) in accordance with any relevant guidance issued by the Gambling Commission;
- (iii) reasonably consistent with the licensing objectives; and
- (iv) in accordance with this Statement of Licensing Principles.

2. Introduction

2.1 North Hertfordshire District Council is situated in the County of Hertfordshire, which contains ten District Councils. The North Hertfordshire area has a population of 116,908 (the 2001 Census), making it one of the largest Districts in the county in terms of both population and geographical area.

2.2 The North Hertfordshire area is made up of four central residential and commercial centres and in excess of thirty rural parishes with their many villages and hamlets. There are three historic towns, Baldock, Hitchin and Royston, and the country’s first Garden City, Letchworth.

2.3 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they intend to apply when exercising their statutory licensing functions. This statement must be published at least every three years, however, it must also be reviewed from ‘time to time’ where necessary, for example due to newly issued Gambling Commission Guidance,



On such occasions, North Hertfordshire District Council will re-consult on any proposed amendments before re-publishing the statement of principles.

- 2.4 This Statement of Principles fully supports North Hertfordshire District Council's vision of:

“making North Hertfordshire a vibrant place to live, work and prosper.”

- 2.5 North Hertfordshire District Council consulted widely upon this statement before adopting and publishing the final version. The Gambling Act 2005 requires that the following parties are consulted by licensing authorities:

- (i) the Chief Officer of Police;
- (ii) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
- (iii) 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 Gambling Act 2005.

A full list of those persons/organisations consulted is provided in full in the attached Appendix A.

- 2.6 North Hertfordshire District Council's consultation took place between 11th June 2012 and 2nd September 2012 and followed, where practicable, the HM Government Code of Practice on Consultation (published July 2008), which is available at:

<http://www.berr.gov.uk/files/file47158.pdf>

The full list of comments made and North Hertfordshire District Council's consideration of those comments is available on request from:

Licensing and Enforcement
North Hertfordshire District Council
P O Box 480
M33 0DE

01462 474000

licensing@north-herts.gov.uk

- 2.7 The Statement of Principles was approved at a meeting of the Full Council on < *date to be inserted* > and was published on the Council's website, www.north-herts.gov.uk on < *date to be inserted* >.



Should you have any comments in respect of this Statement of Principles, please send them via email or letter to:

Licensing and Enforcement
North Hertfordshire District Council
P O Box 480
M33 0DE

licensing@north-herts.gov.uk

- 2.8 It is important to note that this Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as North Hertfordshire District Council will consider each on its own merits and in accordance with the statutory requirements of the Gambling Act 2005.

3. Declaration

In producing its final Statement of Principles, North Hertfordshire District Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses received during the consultation process.

4. Responsible Authorities

- 4.1 The licensing authorities are required by Regulations to state the principles they will apply in exercising their powers under section 157(h) of the Gambling Act 2005 to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- (i) the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
 - (ii) the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Guidance to Licensing Authorities issued by the Gambling Commission, North Hertfordshire District Council designates the Hertfordshire Safeguarding Children Board for this purpose.

- 4.2 The contact details for all Responsible Authorities under the Gambling Act 2005 are available from the Council's website www.north-herts.gov.uk
- 4.3 The Council is designated as a Responsible Authority in addition to its role as the Licensing Authority. To ensure that the two roles are undertaken separately and independently of each other, and to ensure transparency, different officers will undertake each of the Council's roles.



5. Interested Parties

5.1 Interested parties can make representations in support of or against licence applications, or apply for a review of an existing licence. The Gambling Act 2005 defines interested parties as follows:

“For the purpose of this Part 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 which issues the licence or to which the application is made, 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 paragraph (a) or (b).”*

5.2 The licensing authority is required by Regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether or not a person is an interested party. The principles to be applied by North Hertfordshire District Council are:

- (i) North Hertfordshire District Council will not fetter its ability to carefully consider each application on its own merits by applying any rigid rules to its decision-making.
- (ii) North Hertfordshire District Council will have regard to the examples of considerations provided in the Gambling Commission’s Guidance to Licensing Authorities at 8.11 to 8.18.
- (iii) North Hertfordshire District Council will have regard to the Gambling Commission’s Guidance that “has business interests” should be given the widest possible interpretation. This wide interpretation allows North Hertfordshire District Council to consider, where appropriate, organisations such as, but not limited to, partnerships, charities, schools, faith groups and medical practices.

5.3 Interested parties can be persons who are democratically elected such as councillors and MP’s. No specific evidence of being asked to represent an interested party will be required providing that the councillor or MP represents the ward likely to be affected by the application. It would, however, assist the Council if the elected representative could demonstrate the number of persons’ opinions that he/she represents. Similarly, parish councils likely to be affected by an application will be considered to be interested parties.

5.4 Other than elected representatives however, North Hertfordshire District Council will generally require written evidence that a person/body (for example an advocate, a relative, etc.) represents someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised



activities. Usually, a letter from one of these persons requesting the representation would be sufficient.

- 5.5 If individuals wish to approach their local district councillor to ask them to represent their views, then care should be taken that the councillor is not part of the Licensing Committee dealing with the application. For most wards in North Hertfordshire, there is more than one elected representative who could represent the interested party's views. Licensing Committee members will not be permitted to determine applications relating to premises within their own ward. If there are any concerns in this respect, please contact the Licensing Department on 01462 474000 or at licensing@north-herts.gov.uk

6. Exchange of information

- 6.1 Licensing authorities are required to include in their Statement of Principles the principles that the authority will apply in exercising its functions under sections 29 and 30 of the Gambling Act 2005 with respect to the exchange of information between it and the Gambling Commission. It is also required to include the principles it will apply in exercising its functions under section 350 of the Gambling Act 2005 with respect to the exchange of information between it and other persons listed in Schedule 6 of the Gambling Act 2005.

- 6.2 The principles applied by North Hertfordshire District Council are:

- (i) that it will act in accordance with the provisions of the Gambling Act 2005;
- (ii) that the Data Protection Act 1998 will not be contravened;
- (iii) that it will have regard to any Guidance issued by the Gambling Commission;
- (iv) that it will have regard to any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005; and
- (v) that any protocols established in respect of information sharing with other bodies will be published on the Council's website www.north-herts.gov.uk

7. Enforcement

- 7.1 Licensing authorities are required by Regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising its functions under Part 15 of the Gambling Act 2005 in respect of the inspection of premises. It is also required to state the principles to be applied in exercising its powers under section 346 of the Gambling Act 2005 with regard to instituting criminal proceedings in respect of specified offences.

- 7.2 The principles applied by North Hertfordshire District Council are that it will have regard to the Guidance to Licensing Authorities issued by the Gambling Commission and will endeavour to be:



- (i) **Proportionate**
Licensing authorities should only intervene when necessary; remedies should be appropriate to the risk posed; costs should be identified and minimised;
 - (ii) **Accountable**
Licensing authorities must be able to justify decisions and be subject to public scrutiny;
 - (iii) **Consistent**
Rules and standards must be joined up and fairly implemented;
 - (iv) **Transparent**
Licensing authorities should be open and keep regulations simple and user-friendly; and
 - (v) **Targeted**
Regulation should be focused on the specific problem and side-effects minimised.
- 7.3 In considering its responsibilities for enforcement action, North Hertfordshire District Council will also have regard to its Housing and Environmental Health Enforcement Policy which is available on the Council's website www.north-herts.gov.uk
- 7.4 In accordance with the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council will endeavour to avoid duplication with other regulatory requirements.
- 7.5 North Hertfordshire District Council has adopted and implemented a risk-based inspection programme, based on:
- (i) the licensing objectives;
 - (ii) relevant codes of practice;
 - (iii) Guidance issued by the Gambling Commission (in particular at Part 36); and
 - (iv) the principles set out in this Statement of Principles.
- 7.6 North Hertfordshire District Council's main enforcement and compliance role in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. Concerns regarding the manufacture, supply or repair of gaming machines should be notified to the Gambling Commission.
- 7.7 North Hertfordshire District Council keeps itself informed of developments in respect of the work of the Better Regulation Executive in its consideration of local authorities' regulatory functions.



8. Licensing authority functions

8.1 The Gambling Act 2005 requires licensing authorities to:

- (i) be responsible for the licensing of premises where gambling activities are to take place by issuing *premises licences*;
- (ii) issue *provisional statements*;
- (iii) regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities by issuing *club gaming permits* and/or *club gaming machine permits*;
- (iv) issue *club gaming machine permits* to commercial clubs;
- (v) grant permits for the use of certain lower stake gaming machines at *unlicensed family entertainment centres*;
- (vi) receive notifications from premises licensed for the sale of alcohol under the Licensing Act 2003 for the use of two or fewer gaming machines;
- (vii) issue *licensed premises gaming machine permits* for premises licensed under the Licensing Act 2003 to sell/supply alcohol for consumption on the licensed premises, where there are more than two gaming machines;
- (viii) register *small society lotteries* below the prescribed thresholds;
- (ix) issue *prize gaming permits*;
- (x) receive and endorse *temporary use notices*;
- (xi) receive *occasional use notices*;
- (xii) provide information to the Gambling Commission in respect of details of licences issued; and
- (xiii) maintain registers of the permits and licences that are issued using these functions.

8.2 For the avoidance of any doubt, licensing authorities are not involved with the licensing of remote gambling which is regulated by the Gambling Commission.



PART B

PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

- 1.1 Premises licences are subject to the requirements prescribed in the Gambling Act 2005 and Regulations issued thereunder. The Secretary of State has also issued Regulations detailing specific mandatory and default conditions that apply to premises licences. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 1.2 Decision-making
 - 1.2.1 North Hertfordshire District Council is aware that in making decisions in relation to premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:
 - (i) in accordance with any relevant code of practice issued by the Gambling Commission;
 - (ii) in accordance with any relevant Guidance issued by the Gambling Commission;
 - (iv) reasonably consistent with the licensing objectives; and
 - (iv) in accordance with North Hertfordshire District Council's Statement of Principles.
 - 1.2.2 In accordance with the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council acknowledges that:
 - (i) moral objections to gambling (except in relation to a 'no casino resolution') are not valid reasons to reject applications for premises licences; and
 - (ii) unmet demand is not a criteria for a licensing authority.
- 1.3 Definition of '*premises*'
 - 1.3.1 In the Gambling Act 2005, *premises* are defined as including *any place*. By virtue of section 152, therefore, only one premises licence can apply to any place.
 - 1.3.2 A single building could be subject to more than one premises licence, however, providing that they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. In making its decisions in relation to the sub-division of a single building, North Hertfordshire District Council will ensure that the mandatory conditions in relation to access to and between premises are observed.



1.3.3 The Gambling Commission states in the third edition of its Guidance to Licensing Authorities at paragraph 7.13 that:

“In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can be properly regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can be properly regarded as different premises.”

1.3.4 North Hertfordshire District Council are aware of the Gambling Commission’s Guidance to Licensing Authorities statement that licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes. In particular, North Hertfordshire District Council will be aware that:

- (i) the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Premises should be configured, therefore, so that children are not invited to participate in, have accidental access to, or be able to closely observe gambling where they are prohibited from participation.
- (ii) entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not drift into a gambling area. In this context, it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- (iii) customers should be able to participate in the activity named on the premises licence.

1.3.5 North Hertfordshire District Council support the view that a single premises can be sub-divided into separate premises providing that the licensing objectives are met and the mandatory conditions are strictly observed. Each application will be considered on its own merits and the discussions between the licensing officer and operator relating to the suitability of the sub-division are an essential part of this process. North Hertfordshire District Council will give consideration to the Gambling Commission's Guidance to Licensing Authorities on this issue.



- 1.4 Premises ‘*ready for gambling*’
- 1.4.1 The Gambling Commission’s Guidance to Licensing Authorities states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building works or alterations required before the premises are brought into use.
- 1.4.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a *provisional statement* should be made instead.
- 1.4.3 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, North Hertfordshire District Council will determine applications on their own merits, applying a two-stage consideration process:
- (i) Firstly, whether the premises ought to be permitted to be used for gambling; and
 - (ii) secondly, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 1.4.4 Applicants should note that North Hertfordshire District Council is entitled to decide that it is appropriate to grant a licence subject to conditions, however, it is not obliged to grant such a licence.
- 1.5 Location
- 1.5.1 North Hertfordshire District Council is fully aware that demand issues cannot be considered in respect of the location of a proposed premises, but that considerations in terms of the licensing objectives are relevant.
- 1.5.2 In accordance with the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council 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.
- 1.5.3 North Hertfordshire District Council have no specific policy of excluding gambling premises from certain locations. Each application will be determined on its own merits with the onus upon the applicant to demonstrate how any potential concerns can be overcome.



1.6 Planning

1.6.1 The Gambling Commission's Guidance to Licensing Authorities states at paragraph 7.59:

“In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.....”

North Hertfordshire District Council, acting as the licensing authority, will not take into account planning or other irrelevant matters in accordance with the above Guidance.

1.6.2 Additionally, North Hertfordshire District Council notes the following excerpt from the Guidance at paragraph 7.66:

“When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control and building regulation powers, and not form, part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.”

1.7 Duplication with other regulatory regimes

1.7.1 North Hertfordshire District Council will seek to avoid any duplication with other statutory/regulatory systems wherever possible. On occasions, however, it may be the case that duplication is necessary to ensure compliance with the licensing objectives and/or mandatory conditions.

1.7.2 North Hertfordshire District Council will not consider whether or not a licence application is likely to be awarded planning permission or building regulations approval in its determination. It will, however, listen to, and carefully consider, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should this situation arise.

1.7.3 When dealing with a premises licence application for finished buildings, North Hertfordshire District Council will not take into account planning, building regulation, fire or health and safety issues as these matters are dealt with under separate legislation.



1.8 Licensing objectives

1.8.1 In order to grant a premises licence, the application must be reasonably consistent with the licensing objectives. North Hertfordshire District Council has considered the Gambling Commission's Guidance to Licensing Authorities with regard to these objectives and would comment as follows:

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

North Hertfordshire District Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance to Licensing Authorities does, however, envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Where an area has known high levels of organised crime, North Hertfordshire District Council will carefully consider whether gambling premises are suitable to be located there and whether there may be any suitable conditions such as the provision of door supervisors. North Hertfordshire District Council is aware of the distinction between disorder and nuisance and will consider appropriate factors (for example, whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

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

North Hertfordshire District Council has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way, as this will be regulated by means of operating and personal licences. There would be, however, more of a role for the local authority in relation to a premises licence for a track.

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

North Hertfordshire District Council has noted the Gambling Commission's Guidance to Licensing Authorities that states this objective means preventing children from taking part in gambling, as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to, children. Consideration will be given as to whether specific measures are required at particular premises in respect of this objective. Appropriate measures may include, but are not limited to, supervision of entrances, supervision of gaming machines, segregation of areas, etc. North Hertfordshire District Council is also aware of the Gambling Commission's Codes of Practice in respect of this licensing objective.



- 1.8.2 It is noted that the Gambling Commission does not seek to offer a definition of the term ‘*vulnerable person*’ but states that:

“it will for regulatory purposes 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 balance decisions about gambling due to a mental impairment, alcohol or drugs”.

North Hertfordshire District Council will consider the definition of vulnerable person on a case by case basis with regard to the individual circumstances of each application.

1.9 Licence conditions

- 1.9.1 Any conditions attached to premises licences by North Hertfordshire District Council will be:

- (i) proportionate;
- (ii) relevant to the need to make the proposed building suitable as a gambling facility;
- (iii) directly related to the premises and the type of licence applied for;
- (iv) fairly and reasonably related to the scale and type of premises; and
- (v) reasonable in all other aspects.

- 1.9.2 All decisions relating to the imposition of conditions will be made on a case by case basis in relation to the individual merits of the application. There will be a number of measures utilised by North Hertfordshire District Council should there be a perceived need; there are specific comments made in this regard in the following sections. North Hertfordshire District Council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

- 1.9.3 North Hertfordshire District Council may also consider specific measures which may be required for buildings which are sub-divided and subject to more than one premises licence. Such measures may include, but are not limited to:

- (i) supervision of entrances;
- (ii) segregation of different premises;
- (iii) supervision of gaming machines.

- 1.9.4 North Hertfordshire District Council will ensure that where category C or above gaming machines are made available in premises to which children are admitted:

- (i) 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;

- (ii) only adults are admitted to the area where these machines are located;
- (iii) access to the area where the machines are located is supervised;
- (iv) the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- (v) at the entrance to and inside any such areas, there are prominently displayed notices indicating that access to the area is prohibited to any person under eighteen years of age.

1.9.5 North Hertfordshire District Council is aware that tracks may be subject to one or more than one premises licence, provided that each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council will consider the impact upon the third licensing objective and 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.

1.9.6 North Hertfordshire District Council is aware that there are conditions which a licensing authority cannot attach to premises licences, which are:

- (i) any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- (ii) conditions relating to gaming machine categories, numbers, or method of operation;
- (iii) conditions which provide that membership of a club or body be required; and
- (iv) conditions in relation to stakes, fees, winning or prizes.

1.10 Door supervisors

1.10.1 The Gambling Commission's Guidance to Licensing Authorities advises that if a licensing authority is concerned that premises may attract disorder or be subject to attempts at unauthorised access (for example, by children or young persons) then it may require that the entrances to the premises are controlled by a door supervisor; a licensing authority would be entitled to impose a condition on a premises licence to this effect.

1.10.2 Where it is decided to impose a condition requiring door supervision, a consideration of whether or not the door supervisors would need to be SIA-registered should be made. It will not be automatically assumed that door supervisors need to be licensed as the statutory requirements for different types of premises vary.

2. Adult Gaming Centres

2.1 North Hertfordshire District Council will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will



be sufficient measures to, for example, ensure that under eighteen year olds do not have access to the premises.

2.2 North Hertfordshire District Council may consider measures, where necessary to meet the licensing objectives, including but not limited to:

- (i) proof of age schemes (for example, PASS accredited schemes such as Validate);
- (ii) CCTV
- (iii) supervision of entrances;
- (iv) supervision of gaming machine areas;
- (v) physical separation of areas;
- (vi) location of entry;
- (vii) notices/signage;
- (viii) specific opening hours;
- (ix) self-exclusion schemes;
- (x) provision of information leaflets and/or helpline telephone numbers for organisations such as GamCare.

3. (Licensed) Family Entertainment Centres

3.1 North Hertfordshire District Council will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under eighteen year olds do not have access to the adult only gaming machine areas.

3.2 North Hertfordshire District Council may consider measures, where necessary to meet the licensing objectives, including but not limited to:

- (i) CCTV;
- (ii) supervision of entrances;
- (iii) supervision of gaming machine areas;
- (iv) physical separation of areas;
- (v) location of entry;
- (vi) notices/signage;
- (vii) specific opening hours;
- (viii) self-exclusion schemes;
- (ix) measures/training for staff on how to deal with suspected truant school children on the premises;
- (x) provision of information leaflets and/or helpline telephone numbers for organisations such as GamCare.

3.3 As per the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council will refer to the Commission's website to see any conditions that apply to operating licences, including mandatory or default conditions, covering the way in which the area containing the category C machines should be delineated.



4. Casinos

- 4.1 North Hertfordshire District Council has not passed a ‘*no casino*’ resolution under section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Council decide in the future to pass such a resolution, it will update this Statement of Principles accordingly.

5. Bingo premises

- 5.1 North Hertfordshire District Council notes that the Gambling Commission's Guidance to Licensing Authorities states at paragraph 18.4:

“Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.”

- 5.2 North Hertfordshire District Council also notes the Commission’s Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

- 5.3 North Hertfordshire District Council also notes that the Gambling Commission's Guidance to Licensing Authorities states at paragraph 18.6:

“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 must be separated from areas where children and young people are allowed.”

6. Betting premises

- 6.1 In accordance with the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council will 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 children and young persons, or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. Tracks

- 7.1 General

- 7.1.1 North Hertfordshire District Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to specified



area of the track. In accordance with the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and 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.

7.1.2 North Hertfordshire District Council will, therefore, expect the premises licence 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 will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

7.1.3 North Hertfordshire District Council may consider measures, where necessary to meet the licensing objectives, including but not limited to:

- (i) proof of age schemes (for example, PASS accredited schemes such as Validate);
- (ii) CCTV
- (iii) supervision of entrances;
- (iv) supervision of gaming machine areas;
- (v) physical separation of areas;
- (vi) location of entry;
- (vii) notices/signage;
- (viii) specific opening hours;
- (ix) self-exclusion schemes;
- (x) provision of information leaflets and/or helpline telephone numbers for organisations such as GamCare.

7.2 Gaming machines

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

7.3 Betting machines

In accordance with Part 6 of the Gambling Commission's Guidance to Licensing Authorities, North Hertfordshire District Council 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, or vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.



- 7.4 Applications and plans
- 7.4.1 The Gambling Act 2005 requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity.
- 7.4.2 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by Regulations.
- 7.4.3 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.
- 7.4.4 In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be designed for the frequent holding of sporting events or races. In such cases, betting facilities may be better provided through occasional use notices where the boundary of the premises does not need to be defined.
- 7.4.5 North Hertfordshire District Council appreciates that it is sometime difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that North Hertfordshire District Council can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the ‘five times rule’ (commonly known as betting rings) must be indicated on the plan.

8. Travelling Fairs

- 8.1 North Hertfordshire District Council is responsible for deciding whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than ancillary amusement at the fair is met.
- 8.2 North Hertfordshire District Council will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 8.3 It is noted that the twenty-seven day statutory maximum for the land being used as a fair applies on a per calendar year basis and that it 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. North Hertfordshire District



Council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

9.1 Developers may wish to apply to North Hertfordshire District Council for provisional statements before entering 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. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

9.2 Section 204 of the Gambling Act 2005 provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- (i) expects to be constructed;
- (ii) expects to be altered; or
- (iii) expects to acquire a right to occupy

9.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

9.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

9.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account unless:

- (i) they concern matters which could not have been addressed at the provisional statement stage; or
- (ii) they reflect a change in the applicant's circumstances.

9.6 In addition, North Hertfordshire District Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (i) which could not have been raised by objectors at the provisional statement stage;



- (ii) which in North Hertfordshire District Council's opinion reflect a change in the operator's circumstances; or
- (iii) where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and North Hertfordshire District Council notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews

10.1 Requests for a review of a premises licence can be made by interested parties, however it is for the licensing authority to decide whether or not the review is to be carried out. This will be decided on the basis of whether the request for the review is relevant to the following matters:

- (i) in accordance with any relevant Code of Practice issued by the Gambling Commission;
- (ii) in accordance with any relevant guidance issued by the Gambling Commission;
- (iii) reasonably consistent with the licensing objectives; and
- (iv) in accordance with North Hertfordshire District Council's Statement of Principles.

10.2 The request for the review will also be subject to the consideration by North Hertfordshire District Council as to whether the request is frivolous, vexatious, or whether it will certainly not cause North Hertfordshire District Council to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

10.3 North Hertfordshire District Council can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

10.4 Once a valid application for a review has been received by North Hertfordshire District Council, representations can be made by responsible authorities and interested parties during a twenty-eight day period. This period begins seven days after the application was received by North Hertfordshire District Council, who will publish a notice of the application within seven days of receipt.

10.5 North Hertfordshire District Council will carry out the review as soon as practicable after the twenty-eight day period for making representations has passed.

10.6 The purpose of the review will be to determine whether North Hertfordshire District Council should take any action in relation to the licence. If action is necessary, the options available to North Hertfordshire District Council are:



- (i) add, remove or amend a licence condition imposed by the licensing authority;
 - (ii) exclude a default condition imposed by the Secretary of State (for example, opening hours), or remove or amend such an exclusion;
 - (iii) suspend the premises licence for a period not exceeding three months; and
 - (iv) revoke the premises licence.
- 10.7 In determining what action, if any, should be taken following a review, North Hertfordshire District Council must have regard to the principles set out in section 153 of the Gambling Act 2005, as well as any relevant representations.
- 10.8 In particular, North Hertfordshire District Council may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 10.9 Once the review has been completed, North Hertfordshire District Council must, as soon as practicable, notify its decision to:
- (i) the licence holder;
 - (ii) the applicant for review;
 - (iii) the Gambling Commission;
 - (iv) any person who made representations;
 - (v) the Chief Officer of Hertfordshire Constabulary; and
 - (vi) Her Majesty's Commissioners for Revenues and Customs.



PART C
PERMITS, TEMPORARY and OCCASSIONAL USE NOTICES

1. Unlicensed Family Entertainment Centre Gaming Machine Permits

1.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to North Hertfordshire District Council for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

1.2 The Gambling Act 2005 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 in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Gambling Commission under section 25 of the Gambling Act 2005. The Gambling Commission's Guidance to Licensing Authorities also states at paragraph 24.6:

“In its Licensing Authority Statement of Policy, a licensing authority 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”.

1.3 The Gambling Commission's Guidance to Licensing Authorities also states at paragraph 24.7:

“.....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 applications to demonstrate:

- *a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's;*
- *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.”*

1.4 It should be noted that North Hertfordshire District Council cannot attach conditions to this type of permit.

1.5 Statement of Principles

North Hertfordshire District Council will expect the 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 efficiency of such policies and



procedures will each be considered on their own merits, however, they may include appropriate measures /training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. North Hertfordshire District Council will also expect, as per the Gambling Commission's Guidance to Licensing Authorities, that applicants 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 Gambling Act 2005); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. (Alcohol) Licensed Premises Gaming Machine Permits

2.1 Automatic entitlement to two machines

2.1.1 The Gambling Act 2005 provides for premises licensed to sell alcohol for consumption on the premises to have an automatic entitlement to two gaming machines of categories C and/or D. The premises merely need to notify North Hertfordshire District Council of their intention to utilise this entitlement.

2.1.2 North Hertfordshire District Council can remove the automatic entitlement in respect of any particular premises if:

- (i) provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- (ii) gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005 (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- (iii) the premises are mainly used for gaming; or
- (iv) an offence under the Gambling Act 2005 has been committed on the premises.

2.2 Permit for three or more machines

2.2.1 If a premises wishes to have more than two machines, it needs to apply for a permit and North Hertfordshire District Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under section 25 of the Gambling Act 2005, and '*such matters as they think relevant*'.

2.2.2 North Hertfordshire District Council considers that '*such matters as they think relevant*' will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under eighteen



year olds do not have access to the adult only gaming machines. Measures which will satisfy North Hertfordshire District Council that there will be no access may include the gaming machines being in sight of the bar counter, or in the sight of staff who monitor that the machines are not being used by those persons under eighteen years of age. Notices and signage may also be of assistance. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

- 2.2.3 It is recognised that some alcohol licensed premises may apply for a permit for their non-alcohol licensed areas. Any such application would most likely need to be applied for and dealt with as an Adult Gaming Centre Premises Licence.
- 2.2.4 It should be noted that North Hertfordshire District Council can decide to grant the application with a smaller number of machines and/or a different machine category than that applied for. Other than under these circumstances, conditions cannot be attached to a permit.
- 2.2.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits

- 3.1 The Gambling Act 2005 states that a licensing authority may ‘prepare a statement of principles that they propose to apply in exercising their functions’ which ‘may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit.’
- 3.2 North Hertfordshire District Council’s Statement of Principles is that each application will be decided on its own merits. The applicant should set out the types of gaming that he/she is intending to offer and should be able to demonstrate:
 - (i) that they understand the limits to stakes and prizes that are set out in the Regulations;
 - (ii) that the gaming offered is within the law; and
 - (iii) clear policies that outline the steps to be taken to protect children from harm.
- 3.3 In making its decision on an application for this permit, North Hertfordshire District Council does not need to, but may, have regard to the licensing objectives, but must have regard to the Gambling Commission's Guidance to Licensing Authorities.
- 3.4 It should be noted that there are conditions prescribed in the Gambling Act 2005 with which the permit holder must comply, but that North Hertfordshire District Council cannot attach conditions. The conditions prescribed by the Gambling Act 2005 are:



- (i) the limits on participation fees, as defined in Regulations, must be complied with;
- (ii) 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;
- (iii) the prize for which the game is played must not exceed the amount prescribed in Regulations (if a money prize), or the prescribed value (if a non-monetary prize); and
- (iv) participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Gaming Machine Permits

- 4.1 Members clubs and miners' welfare institutes, but not commercial clubs, may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide a maximum of three gaming machines (categories B, C or D), equal chance gaming and games of chance as prescribed in Regulations.

Members clubs, miners' welfare institutes and commercial clubs may apply for a Club Gaming Machine Permit. A Club Gaming Machine Permit will enable the premises to provide a maximum of three gaming machines (categories B, C or D), however, commercial clubs may not site category B3A gaming machines offering lottery games in their club.

- 4.2 The Gambling Commission's Guidance to Licensing Authorities states:

"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. The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates 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."

- 4.3 The Gambling Commission's Guidance to Licensing Authorities also notes that licensing authorities may only refuse an application on the grounds that:

- (i) 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;
- (ii) the applicant's premises are used wholly or mainly by children and/or young persons;
- (iii) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;



- (iv) a permit held by the applicant has been cancelled in the previous ten years; or
- (v) an objection has been lodged by the Gambling Commission or the Police.

4.4 There is also a 'fast track' procedure available under the Gambling Act 2005 for premises which hold a Club Premises Certificate under the Licensing Act 2003. As the Gambling Commission's Guidance to Licensing Authorities states:

“Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced.”

4.5 The grounds on which an application under this process may be refused are:

- (i) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (ii) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (iii) that a club gaming permit or club gaming machine permit issued to the applicant in the last ten years has been cancelled.

4.6 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.

5. Small Society Lotteries

5.1 Under the Gambling Act 2005, a lottery is unlawful unless it runs under an operating licence or is an exempt lottery. North Hertfordshire District Council will register and administer small society lotteries as defined under the Gambling Act 2005. Promoting or facilitating a lottery will fall into two categories:

- (i) licensed lotteries (requiring an operating licence from the Gambling Commission); and
- (ii) exempt lotteries (including small society lotteries registered with North Hertfordshire District Council)

5.2 Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission and are defined as:

- (i) small society lotteries;
- (ii) incidental non-commercial lotteries;
- (iii) private lotteries;
- (iv) private society lottery;
- (v) work lottery;



- (vi) residents' lottery; and
 - (vii) customers' lottery.
- 5.3 Advice regarding the definitions of the above exempt lotteries are available from the Gambling Commission website:
- http://www.gamblingcommission.gov.uk/gambling_sectors/lotteries.aspx
- 5.4 Applicants for registration of small society lotteries must apply to the licensing authority in the area in which their principal office is located.
- 5.5 Lotteries will be regulated through a licensing and registration scheme with conditions imposed on licences by the Gambling Commission, Codes of Practice and any Guidance issued by the Gambling Commission. In exercising its functions with regard to small society and exempt lotteries, North Hertfordshire District Council will have due regard to the Gambling Commission's Guidance to Licensing Authorities.
- 5.6 North Hertfordshire District Council will keep a public register of all applications and will provide information to the Gambling Commission on all lotteries registered by the licensing authority.
- 5.7 North Hertfordshire District Council may refuse an application for a small society lottery registration if, in their opinion:
- (i) the applicant is not a non-commercial society;
 - (ii) a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence as defined in Section 353 of the Gambling Act 2005; or
 - (iii) information provided in or with the application for registration is false or misleading.
- 5.8 North Hertfordshire District Council may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. No revocations will take place unless the society has been given the opportunity to make representations.
- 6. Temporary Use Notices**
- 6.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 6.2 North Hertfordshire District Council can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.



- 6.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices and at the time of writing this Statement of Principles, the relevant Regulation states that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 6.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of ‘premises’ in Part 8 of the Gambling Act 2005 is discussed in Part 7 of the Gambling Commission's Guidance to Licensing Authorities. As with ‘premises’, the definition of ‘set of premises’ will be a question of fact in the particular circumstances of each notice that is given. North Hertfordshire District Council note that in the Gambling Act 2005, ‘premises’ is defined as including ‘any place’. In considering whether a place falls within the definition of ‘a set of premises’, North Hertfordshire District Council needs to look at, amongst other things, the ownership/occupation and control of the premises.
- 6.5 North Hertfordshire District Council expects 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, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

7. Occasional Use Notices

North Hertfordshire District Council has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. North Hertfordshire District Council will though consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.



APPENDIX A

The Act suggests the following consultees;

- **Chief of Police**
- **One or more persons who appear to represent the interests of persons carrying on Gambling businesses**
- **One or more persons who represent the interests of persons likely to be affected by the exercise of the authorities functions under this Act**

The Licensing Authority consulted the following;

Responsible Authorities

Chief of police

Customs and Excise

Environmental Health, North Hertfordshire District Council

Hertfordshire Fire and Rescue Service

Health and Safety Executive

Planning Department, North Hertfordshire District Council

Hertfordshire Safeguarding Children Board

Others

All gambling premises licence holders

All premises licence holders under the Licensing Act 2003

Association of British Bookmakers Ltd

BACTA

Bingo Association

British Association of Leisure Parks, Piers & Attractions Limited

British Casino Association

Business In Sport and Leisure

Citizens Advice Bureau

Gambling Commission

Gamcare

HCC Social Service

Local residents via website and local libraries

NCVCCO (National Council of Voluntary Child Care Organisations)

Neighbouring local authorities.

NHDC Community Safety Unit

NHDC Elected Members

NHDC Legal Services

Parish and Town Councils.

**APPENDIX B****TABLE OF DELEGATIONS OF LICENSING FUNCTIONS**

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting – when appropriate			X
Application for premises licenses		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations 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/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations 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	