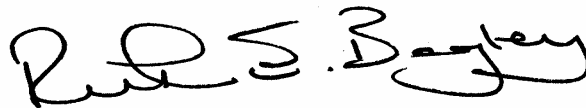


Date of issue: 18th September, 2009

MEETING	LICENSING COMMITTEE (Councillors Davis (Chair), Bains, Chohan, Dale-Gough, Dodds, Jenkins, Long, Maclsaac, Qureshi, Rasib and Shine)
DATE AND TIME:	TUESDAY, 29TH SEPTEMBER, 2009 AT 6.30 PM
VENUE:	COUNCIL CHAMBER, TOWN HALL, BATH ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER (01753) 875013

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



RUTH BAGLEY
Chief Executive

NOTE TO MEMBERS

This meeting is an approved duty for the payment of travel expenses.

AGENDA

PART I

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

Apologies for absence.



AGENDA
ITEM

REPORT TITLE

PAGE

WARD

CONSTITUTIONAL MATTERS

1. Declaration of Interest

(Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct).

2. Minutes of the Last Meeting held on 1 June 2009 1 - 2

LICENSING ISSUES

3. Appointment of Designated Chair to the Licensing Sub-Committee. 3 - 4 All

4. Gambling Act 2005, Statement of Principles (2009). 5 - 40 All

5. Review of Delegated Powers. 41 - 50 All

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.



Licensing Committee – Meeting held on Monday, 1st June, 2009.

Present:- Councillors Davis (Chair), Bains, Chohan, Jenkins, Long, Maclsaac, Dodds, Dale-Gough, Pabbi, Rasib and Shine.

PART I

1. Declarations of Interest

None.

2. Minutes of the Last Meeting held on 31st March 2009

The minutes of the meeting held on 31st March, 2009 were approved as a correct record.

3. Appointment of Licensing Sub-Committee and Designated Chairs

The Committee was recommended to establish the Licensing Sub-Committee and to appoint Designated Chairs to it. The Chairs would be from among the Members of this Committee appointed on a politically proportionate basis who would chair the Sub-Committee meetings on a rota basis. Consequently for the municipal year 2009/10 the membership would consist of two Labour Members and one BILLD Member.

Resolved:

- (a) That the Licensing Sub-Committee be appointed with the terms of reference as submitted.
- (b) That Councillors Bains, Rasib and Shine be appointed designated Chairs of the Licensing Sub-Committee for the municipal year 2009/10.

4. Review of the No Casino Policy

Members were reminded that a public consultation had taken place with regard to whether or not the no casino policy adopted by Slough Borough Council in July 2006 be renewed. Consultation included writing to 200 residents on the Citizens' Panel, writing to local organisations and an internet survey. The Licensing Officer reported that of the responses received, there was overwhelming support for the no casino policy being renewed. It was noted that a number of responses had indicated that granting a casino could potentially harm or exploit vulnerable people and their families.

Members unanimously agreed that the no casino policy be renewed and that the policy be recommended to Council for adoption.

Licensing Committee - 01.06.09

Recommended: That no premises licences for casinos be issued with effect from 25th July, 2009 in order to protect vulnerable people and their families from being harmed or exploited.

5. Date of Next Meeting

Thursday, 23rd July, 2009

Chair

(Note: The Meeting opened at 6.30 p.m. and closed at 6.45 p.m.)

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee

DATE: 29th September, 2009

CONTACT OFFICER: Shabana Kauser (Senior Democratic Services Officer)
(For all Enquiries) (01753) 875013

WARD(S): All

PART I
FOR DECISION

APPOINTMENT OF DESIGNATED CHAIR TO THE LICENSING SUB COMMITTEE.

1. **Purpose of Report**

This report seeks approval for the appointment of a designated Chair to the Sub-Committee.

2. **Recommendation**

That a Labour Member be appointed as a designated Chair of the Licensing Sub Committee.

3. **Key Priorities**

There are no key priority implications.

4. **Other Implications**

(a) **Financial**

There are no financial implications associated with this report at this stage.

(b) **Human Rights Act and other Legal Implications**

There are no Human Rights Act or other legal implications.

(c) **Workforce**

None.

5. **Supporting Information**

5.1 At its meeting on 1st June 2009 the Licensing Committee established a Licensing Sub-Committee and agreed its terms of reference.

5.2 The Committee agreed to the appointment of designated Chairs of the Sub-Committee and that these Members would chair the meetings of the Sub-Committee on a rota basis.

5.3 It was also agreed that the Sub-Committee would consist of three Members to be drawn on a rota basis from the Members of this Committee on a politically

proportionate basis. It was noted that, as the Labour Group has an overall majority on the Council this year, the Sub-Committee will comprise two Labour Members and one opposition Member.

- 5.4 At its meeting on 1st June, 2009 Councillors Bains, Pabbi and Shine were appointed as the designated Chairs to the Sub-Committee for the municipal year 2009/2010. However, following Councillor Pabbi's resignation from the Licensing Committee, a vacancy has arisen for a designated chair of the Licensing Sub Committee. Members are reminded that in accordance with the political proportionality, the appointment must be that of a Labour Member.

6. **Background Papers**

Agenda and minutes of Licensing Committee – 1 June, 2009

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee

DATE: 29th September 2009

CONTACT OFFICER: David Turner
(For all Enquiries) Senior Licensing Officer
(01753 477389)
Michael Sims
Licensing Manager
(01753 477387)

WARD(S): All.

PART I
FOR DECISION

GAMBLING ACT 2005, STATEMENT OF PRINCIPLES (2009)

1. **Purpose of Report**

To advise Members of the outcome of the statutory public consultation on the Gambling Act 2005 Statement of Principles (revised 2009).

2. **Recommendation to Council**

The Committee is requested to recommend to the Council that the Gambling Act 2005 Statement of Principles (as amended - 2009) is adopted as the Council's Gambling Policy.

3. **Community Strategy Priorities**

Being Safe, Feeling Safe.

The Statement of Principles safeguards children, vulnerable people and their families from being adversely affected by gambling.

4. **Other Implications**

(a) **Financial**

There are no financial implications of proposed action.

(b) **Human Rights Act and other Legal Implications**

There are no direct Human Rights Act or other legal implications

(c) Risk Management

<i>Recommendation</i>	<i>Risk/Threat/Opportunity</i>	<i>Mitigation(s)</i>
That the Council is recommended to approve and publish the revised Statement of Principles	The Council (Licensing Authority) must prepare and publish a statement of the principles that they propose to apply in exercising its functions under the Act. This is a statutory requirement under the Act and in line with the Gambling Commissions Guidance.	Statutory requirement for the policy to be reviewed every three years following a full consultation with statutory consultees and members of the public.

(d) Equalities Impact Assessment

An equalities impact assessment has been completed and the conclusions are that there are no adverse or negative impacts of opportunity for any equality target group or for any other reason.

5. Supporting Information

5.1 The Gambling Act 2005 placed the responsibility for the regulation of gambling on the Gambling Commission, and local authorities. In brief, the function of the Gambling Commission is to regulate the operators of gambling premises and to issue codes of practice and guidance. The functions of the Council are to: license premises for gambling activities; consider notices for temporary use of premises for gambling; grant permits for gaming and gaming machines in clubs and miners welfare institutes; regulate gaming and gaming machines in alcohol licensed premises; grant permits to family entertainment centres for the use of certain lower stake gaming machines; grant permits for prize gaming; consider occasional use notices for betting at tracks; and register small societies lotteries.

The Council is required under the Gambling Act to put in place a policy, which is called a Statement of Principles, which they propose to apply when exercising their functions under the Act. The original policy which was placed before the Licensing Committee on the 8th November 2006 and approved by Full Council on 12th December 2006 is required to be reviewed at least every three years. The amended 2009 draft Statement of Principles is appended as **Appendix "A"**. This amended Statement of Principles has been based on and in accordance with the Gambling Commissions "Guidance to Licensing Authorities 3rd Edition dated May 2009.

This Statement is first and foremost subject to the three licensing objectives under the Gambling Act 2005, which are:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

5.2 The Gambling Act requires that there is a consultation on the draft Statement of Principles and a consultation was carried out between 17th April 2009 and 15th August 2009. The consultation has included press releases, an interview on Time FM, placing the draft Statement with information about the consultation on the Council's website and writing to the persons or organisations listed in **Appendix "C" of the new draft policy.**

5.3 There has been very little feedback from the consultation. The reasons for this are thought to be that:

- The draft Statement is very comprehensive and in line with the legislation and Gambling Commission guidance and consultees are generally in agreement with it
- The feature of the Gambling Act which is causing public concern relates to casinos. Provisions for regulation of casinos are not included in the draft Statement of Principles as the Council has decided, following an earlier consultation, that casinos will not be allowed in the Borough.

6. **Conclusion**

Members, having considered the draft Statement, are requested to recommend the draft amended Statement of Principles to the Council for adoption.

7.. **Appendices Attached**

'A' The draft 'Statement of Principles'

8. **Background Papers**

'1' The Gambling Commission Guidance

"2" The current Gambling Act 2005 Statement of Principles

'3' Equality Impact Assessment Screening

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SLOUGH BOROUGH COUNCIL

Gambling Act 2005

Statement of Principles

(Draft Revision 2009)

SLOUGH BOROUGH COUNCIL
STATEMENT OF PRINCIPLES
Gambling Act 2005

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PART A

1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- 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 the authority’s statement of licensing policy

2. Introduction

The Borough of Slough is located in the Thames Valley, 20 miles to the west of the centre of London and close to Windsor, Maidenhead and Reading. The Borough covers an area of 32.5 square kilometres. These areas are shown in the map below.

Located along the M4 corridor, Slough is close to Heathrow Airport and is within easy access of the M40 which runs to the Midlands, the M1 which runs to the north and the M3 which runs to the south. Slough Town Centre is served by a Great Western mainline railway station from which the fastest journey time to London Paddington is 15 minutes.

The population of Slough is 119,000. It is a culturally diverse Borough with a range of communities. Slough is often described as a “fusion of different cultures.” There are strong Indian and Pakistani communities and more than a third of the population are from minority ethnic communities.

The Borough is heavily urbanised with residential and commercial areas. To the west of the Borough is the Slough Trading Estate, a large commercial area comprising approximately 672,274 square metres. There are entertainment venues comprising of public houses and nightclubs in Slough Town Centre and in suburban locations, where there are also members’ clubs. There are betting shops in Slough Town Centre and in suburban locations. There are 2 amusement arcades in Slough Town Centre.

A map of the Borough is appended as **Appendix “A”**.

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they proposed to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

Slough Borough Council consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided below.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

A list of persons consulted by this authority is appended at **Appendix “C”**:

Our consultation took place primarily between 17th April 2009 and 15th August 2009 but we were open to receiving and considering observations on the draft statement up to the 1st September 2009 and we took account of the Revised Code of Practice to Licensing Authorities 3rd Edition, which was published in May 2009 and the HM Government Code of Practice on Consultations (published May 2009). The latter document is available via: <http://www.berr.gov.uk/files/file47158.pdf>

The full list of comments made and the consideration by the Council of those comments is available by request to: The Licensing Team, Public Protection Services, Slough Borough Council, at My Council, Landmark Place, High Street, Slough SL1 1JL.

The policy was approved at a meeting of the Full Council on **xxx** and was published via our website on **xxx**. Copies are available from the Licensing Team, Public Protection Services in My Council (at the postal address given in the preceding paragraph) and from our website.

Should you have any comments as regards this policy statement please send them via e-mail or letter to:

Name: Licensing Team, Public Protection Services, Slough Borough Council
Address: My Council, Landmark Place, High Street, Slough SL1 1JL
E-mail: [licensing@slough .gov.uk](mailto:licensing@slough.gov.uk)

It should be noted 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 each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3. Declaration

In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Responsible Authorities

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 will be available via the Council's website at: www.slough.gov.uk

5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes 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 applications 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)"

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 a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.11 to 8.18. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

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 person will be required as long as the Councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) '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. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact Committee and Member Services at the Town Hall, Bath Road, Slough, Berkshire SL1 3UQ.

6. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will

endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

This licensing authority has adopted a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing policy

The main enforcement and compliance role for this licensing authority 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. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not be dealt with by the licensing authority but should be notified to the Gambling Commission.

This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this licensing authority's enforcement / compliance protocols / written agreements are available upon request to the Licensing Team at Public Protection Services, Slough Borough Council, My Council, Landmark Place, High Street, Slough SL1 1JL or licensing@slough.gov.uk.

8. Licensing Authority functions

Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed*

Family Entertainment Centres

- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

PART B

PREMISES LICENCES; CONSIDERATION OF APPLICATIONS

1. General Principles

Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

(i) Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- 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 authority's Statement of Licensing Policy

It is appreciated that as per the Gambling Commission's Guidance to Local Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – page 12) and also that unmet demand is not a criterion for a licensing authority.

(2) Definition of “premises” – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the third edition of its Guidance to Licensing Authorities 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 properly be 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 properly be regarded as different premises.”

This licensing authority takes particular note of the Gambling Commission's Guidance to

Licensing Authorities which states 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 they should be aware of the following:

- 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. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- 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.
- Customers should be able to participate in the activity names on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

7.25:

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iii) Premises "ready for gambling"

The Guidance 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 or alterations required before the premises are brought into use.

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.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, 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.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.59-7.66 of the Guidance.

(iv) Location - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision making. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to

the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

(v) Planning:

The Gambling Commission Guidance to Licensing Authorities states:

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.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

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. 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.

(vi) Duplication with other regulatory regimes - This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

(vii) Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from

being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance states that 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). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This licensing authority is also aware of the Gambling Commission Codes of Practice issues as regards this licensing objective, in relation to specific premises.

As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition 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 balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis

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.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which 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 the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in 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.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

Door Supervisors - The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. Where operators and licensing authorities decide that supervision of entrances / machines is appropriate for particular cases, it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.

2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority may consider measures to meet the licensing objectives, 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-exclusion 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.

3. (Licensed) Family Entertainment Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority may consider measures to meet the licensing objectives, such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion 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
- All staff to produce a current Criminal Records Bureau disclosure which is approved by the Police
- Prepared plans of the premises
- Suitable public liability insurance
- Procedures to ensure public safety

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

measures.

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

This licensing authority has passed a 'no casino' resolution on the basis that a full public consultation was conducted in 2006 with the Council resolution to approve a 'No Casino' policy. A further three yearly review of the policy and a further public consultation was conducted in 2009 with a further resolution of a 'No Casino' policy, which came into effect on 21st July 2009.

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.

5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

18.4 - 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.

This licensing authority is also aware that the Gambling Commission has stated that it is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by this licensing authority once it is made available.

6. Betting premises

Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, 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 (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. Travelling Fairs

It will fall to this licensing authority to decide 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 an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, 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. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

8. Provisional Statements

Developers may wish to apply to this authority 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.

S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

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

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.

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.

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 relevant authorities or interested parties can be taken into account unless:

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

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

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- 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 this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

9. Reviews:

Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- 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 the authority's statement of principles.

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

The licensing authority 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.

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the licensing authority 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.

Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C

PERMITS / TEMPORARY & OCCASIONAL USE NOTICE

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority 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 (Section 238).

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 Commission under section 25. The Gambling Commission's Guidance for local authorities also states: "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." (24.6)

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 applications 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. (24.7)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

Statement of Principles This licensing authority 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 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. This licensing authority will also expect, as per Gambling Commission Guidance, 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 Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1)) Automatic entitlement; 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of 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 section 282 of the Gambling Act (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);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit; 3 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*”

This licensing authority considers that “such matters” 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 harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence 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.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

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

The Gambling Act 2005 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”.

This 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 Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach 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.

4. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit 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. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

Gambling Commission Guidance 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. 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."

The Commission Guidance also notes that "licensing authorities may only refuse an

application on the grounds that:

- (a) 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;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities 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." and "The grounds on which an application under the process may be refused are:

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

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. Temporary Use Notices (TUN)

5. Temporary Use Notices

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.

The licensing authority 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.

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 the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state 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.

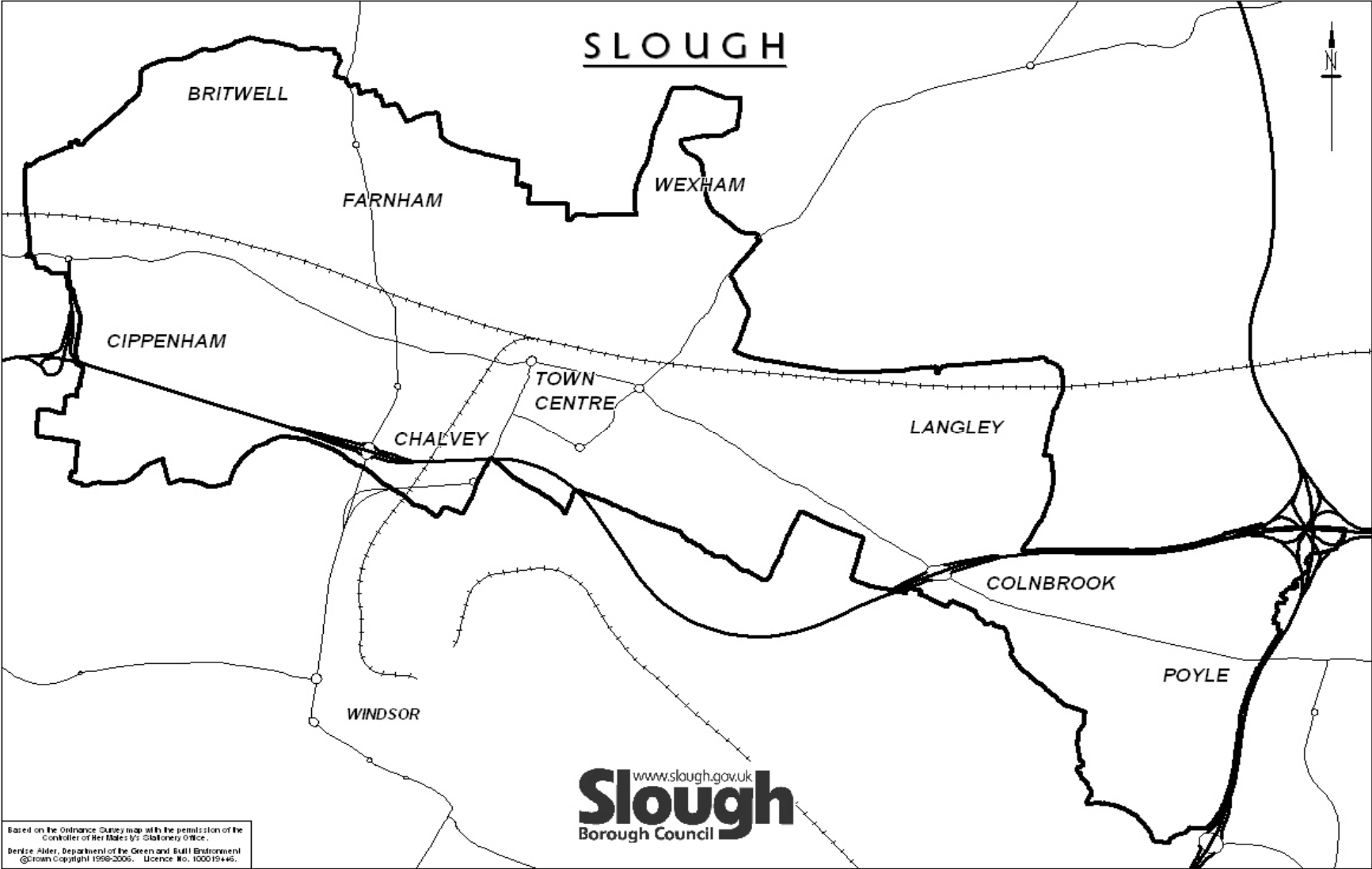
There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular 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", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This licensing authority 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.

6. Occasional Use Notices (OUN)

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.



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Summary of Licensing Authority Delegations Permitted under The Gambling Act

Matter to be dealt with	Full Council	Sub-Committee of Licensing Committee	Officers
Approval of three year Statement of Principles	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for Premises Licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for 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 and not withdrawn	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 objections have been made (and not withdrawn)	Where no objections made / objections 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 be temporary use notice		X	

'X' - Indicates the lowest level to which decisions can be delegated

List of Consultees

Chief Constable of Thames Valley Police
Royal Berkshire Fire & Rescue Service
Association of British Bookmakers
Lotteries Council
British Amusement Catering Trade Association
British Casino Association
Remote Gambling Association
Bingo Association
British Horseracing Board
Advertising Association
British Greyhound Racing Board
Casino Operators Association
Business in Sport & Leisure
Department for Culture, Media and Sport
Casino Advisory Panel
National Lottery Commission
Gamcare
Popleston Allen
Bond Pearce
Berwin Leighton Paisner
Turbervilles
Help the Aged
Thames Valley Chamber of Commerce
British Beer and Pub Association
BIIAB
BACTA
Heatherwood & Wexham Park Hospitals NHS Trust
Slough Council for Voluntary Service
Slough Primary Care Trust
Thames Valley University, Slough Campus
Slough Faith Partnership
Slough Business Community Partnership
Members of Outside Bodies on Borough Council Children's Trust Board
All Premises in the Borough with Gaming Machines
All Premises in the Borough with a Bookmakers Permit
All Premises in the Borough with a Betting Office Licence
Borough Council Education and Children's Services
Borough Council Community Safety Team

In addition, responses to the consultation were invited by press releases to local newspapers and radio stations.

Gambling Act Glossary

Adult Gaming Centres	Adult Gaming Centres (AGCs) are a new category of Premises introduced by the Act. Persons operating an AGC must hold a gaming machines general operating licence and must seek a Premises licence from the Licensing Authority. They will be able to make category B, C and D gaming machines available to their customers.
Betting Premises	The Act contains a single class of licence for betting Premises. Within this single class of licence there will be different types of Premises which require Licensing, such as off course betting, tracks and betting offices on tracks.
Bingo	It is to have its ordinary and natural meaning - no definition is included in the Act. Two types of Bingo can be offered. Cash bingo - where the stakes paid made up the cash prizes that were won; or Prize bingo - where various forms of prizes are won and are not directly related to the stakes paid.
Casinos	A Casino is an arrangement whereby people are given an opportunity to participate in one or more Casino games. The Act defines Casino games as a game of chance which is not equal chance gaming.
Customer Lottery	A lottery run by occupiers of a business for the benefit of the customers who buy tickets sold on the Premises (e.g. supermarket holding a hamper raffle).
Exempt Lottery	Incidental non-commercial lotteries Private Lotteries Customer Lotteries Small Society Lotteries
Gambling Act 2005	The Act gives effect to the Government's proposals for reform of the law on gambling. The Act contains a new regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and Spread Betting. It received royal assent on 7 April 2005.
Gambling Commission	Established 1 st October 2005. It has taken over from the Gaming Board for Great Britain relating to gaming and certain lotteries. It will take on its full range of Licensing functions in 2007.
Gaming Machines	Covers all machines on which people can gamble on. Category of machine and where they can be situated are contained in Appendix C.

Incidental Non-Commercial Lottery	Lottery that is run as an additional amusement at non-commercial events with tickets sold only during the event, such as a raffle at a dance or church fair.
Licensed Family Entertainment Centre	The Act creates two classes of family entertainment centres (FEC). Licensed FECs provide category C and D machines and require a Premises licence.
Lotteries	It is unlawful to run a lottery unless it is in accordance with an operating licence issued by the Gambling Commission or it is an exempt lottery.
Occasional Use Notices	Section 39 of the Act provides that where there is a betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full Premises licence.
Off course betting	Betting that takes place other than at a race track.
Private Lottery	Lottery that requires membership of a society, place of work or single residential unit (e.g. raffle at a student hall of residence).
Small Society Lottery	Non-commercial societies if it is established and conducted: <ul style="list-style-type: none"> • For charitable purposes • For the purposes of enabling participating in, or of supporting, sport, athletics or a cultural activity; or • For any other non-commercial purpose other than private gain.
Temporary Unit Notices	These 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 which might be suitable for temporary use notices would include hotels, conference centres and sporting venues.
Track	Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks both in the form of pool betting (often known as the “totalisator” or “tote”) and also general betting, often known as “fixed-odds” betting.
Travelling Fairs	A travelling fair is one that “wholly or principally” provides amusements and they must be on a site that had been used for fairs for no more than 27 days per calendar year. No permit is required for gaming machines, but they must comply with age restrictions.
Unlicensed Family Entertainment Centres	Unlicensed FECs provide category D machines only and are regulated through FEC gaming machine permits.

Category of Machine	Maximum Stake	Maximum Prize	Minimum Age				
A	Unlimited	Unlimited	18				
B1	£2	£4,000	18				
B2	£100 or £15 per chip	£500	18				
B3	£1	£500	18				
B4	£1	£250	18				
C	£1	£70	18				
D	10p or 30p when non - monetary prize	£5 cash or £8 non-monetary prize	None				
Crane Grab Machines	10p pr £1 non-monetary prize	£5 or £50 non-monetary prize	None				
Coin Pushers		£15 (up to £8 cash)	None				
Premised 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 (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 <u>or</u> 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 8 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 or Category C or D machines – Category C machine must be in separate area	
Family entertainment centre (with permit)							No limit on Category D machines
Prize gaming Permit							No gaming machines
Club Machine Permits					Maximum of 3 machines in categories B4 to D		
Club Gaming Permit					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 of machines C or D as specified on permit	
Travelling Fair							No limit on Category D machines
	A	B1	B2	B3	B4	C	D

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SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 29th September 2009

CONTACT OFFICER: Michael Sims, Licensing Manager
(01753 477387)
Patrick Kelleher, Assistant Director, Public Protection
(01753 875211)

WARD(S): All

PART I
FOR DECISION

REVIEW OF DELEGATED POWERS

1. **Purpose of Report**

This report recommends that powers to be delegated from the Licensing Committee to the Assistant Director, Public Protection in respect of private hire and hackney carriage licensing.

2. **Recommendation to Council**

That the powers as recommended and outlined in this report to be delegated to the Assistant Director, Public Protection and that the Council's Constitution to be amended accordingly.

3. **Community Strategy Priorities**

Being Safe, Feeling Safe & Prosperity for All

4. **Other Implications**

(a) **Financial**

The proposals outlined in this report are likely to generate significant savings by reducing the number of Sub-Committee meetings required to be called, thereby reducing the cost to the licensing budget of officer time in respect, for example, of Legal and Democratic Services in calling and attending meetings.

(b) **Risk Management**

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2 and as detailed within this report at points 5.10, 5.11, 5.12, and 5.13.	The provisions for the recommendations are already contained within the relevant legislation. These provide for matters to be dealt with far more expeditiously.	By approving the recommendations this will serve to provide an effective, expedient and cost effective way of dealing with matters at the earliest opportunity whilst maintaining the statutory right of appeal to the Magistrates' Court.

(c) Human Rights Act and Other Legal Implications

Articles 1 and 6 of The Human Rights Act apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of licence and shall not be deprived of the possession except in the public interest

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

(d) Equalities Impact Assessment

An Equalities Impact Assessment screening has been completed and the conclusions are that there are no adverse or negative impacts of opportunity for any equality target group or for any reasons.

5. Supporting Information

5.1 Legislation – Local Government (Miscellaneous Provisions) Act 1976

- (a) Section 48 (1) to (6) – licensing of private hire vehicles.
- (b) Section 51 (1) to (3) – licensing of private hire drivers.
- (c) Section 55 (1) to (3) – licensing of private hire operators.
- (d) Section 59 (1) and (1A) - licensing of hackney carriage drivers.
- (e) Section 47 (1) and (2) – licensing of hackney carriage vehicles.
- (f) Section 61 (1) and (2) - provisions and criteria for the Council to suspend or revoke or refuse to renew the licence of a private hire or hackney carriage driver.
- (g) Section 60 (1) and (2) - provisions and criteria for the Council to suspend or revoke or refuse to renew the licence of a private hire or hackney carriage vehicle.

In each case above there is provision for an appeal to the Magistrates' Court.

6. Current Delegations

- 6.1 The current Constitution delegates responsibilities for the purposes of private hire and hackney carriage licensing under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 to both the Licensing Committee, Licensing Sub-Committee and to Officers. The specific powers for Officers in relation to the refusal to grant or renew licences and for licences to be suspended or revoked (other than those approved by the Council in respect of Section 52 of the Road Safety Act 2006) are very limited and lie with the Licensing Committee and Licensing Sub-Committee.

6.2 The Constitution (Responsibility for Functions) provides delegated powers to the Licensing Committee and Licensing Sub-Committee with those applicable to private hire and hackney carriage licensing contained at **Appendix A** and The Scheme of Delegation to Officers currently to the Head of Public Protection (now Assistant Director, Public Protection) contained at **Appendix B**.

7 Areas Encountered

- 7.1 Currently where any new applicant for a private hire or hackney carriage driver licence is deemed not to be 'fit and proper' under the Act or in accordance with the current policy on 'Convictions and Cautions' the applicant can have his application heard by a Licensing Sub-Committee. Likewise, where a current holder of a driver's licence has received any caution, conviction or sentence for other specific offences, or where there is a specific matter of misconduct and in the opinion of the Licensing Officers is again deemed to be not 'fit and proper' the matter has to be referred to the Licensing Sub-Committee.
- 7.2 Officers will have to prepare a report to the Licensing Sub-Committee containing all relevant information, evidence and fact. A hearing will be arranged which requires the attendance (other than the sitting Members) of a Licensing Officer (or sometimes two because of the length of the agenda), a Democratic Services Officer and a legal officer.
- 7.3 On occasions there can be and has been some considerable time between the Licensing Officers preparing and submitting the report and the matter being heard by the Licensing Sub-Committee. This has the effect of being prejudicial to the applicant or licence holder as the matter has not been dealt with as expeditiously as possible, and secondly the Committee's resolution being ineffective as some considerable time has elapsed since the application originally being made or the matter coming to light. In addition, there has been an increase in the number of appeals against the Sub-Committee's decisions to the Magistrates' Court which, dependant on court availability, can take between 4 to 9 months for the appeal to be heard.
- 7.4 All referrals to the Licensing Sub-Committee and any subsequent appeals can be time consuming and costly for the Licensing Team, and with the recent reduction of two staff within the team now even more so. The recommendations contained within this report aim to streamline the procedures.
- 7.5 Since January 2007 and to the date of preparing this report the Licensing Team have prepared a total of **99** reports (55 in 2007, 35 in 2008 and 9 to date in 2009) to the Licensing Sub-Committee involving 17 separate Sub-Committee hearings specifically for private hire or hackney carriage licensing alone. This has resulted in approximately five referrals for every hearing. (This does not include hearings for matters relating to the Licensing Act 2003 or the Gambling Act 2005).

8 Costs

A reduction in the number of Sub-Committee meetings called will lead to significant savings in the recharge made to the licensing budget for Member allowance claims, officer time in Democratic and Legal Services preparing for and attending the meetings and the cost of providing accommodation/ refreshments, etc.

9. Benchmarking – Other Local Authorities

- 9.1 A benchmarking exercise has been conducted with twelve other local authorities which include Surrey Heath, Spelthorne, Runnymede, Wokingham, Reading, South Bucks, Royal Borough of Windsor and Maidenhead, West Berkshire, Bracknell Forest, Basingstoke and Deane, Elmbridge, Reigate and Banstead. This benchmarking exercise has shown that most local authorities have introduced an officer delegation scheme similar to that being proposed. The Benchmarking Summary is attached at **Appendix C**.

10 Recommendations

- 10.1 As can be seen from the provisions set out in each area of the legislation as detailed in **5.1** above, any person aggrieved by the refusal to grant, renew, suspend or revoke any licence has a statutory right of appeal to the Magistrates' Court. At this time only the Licensing Committee have these powers. To ensure that all matters are dealt with in an efficient, expedient, and cost effective manner the proposed recommended changes to delegated powers are as follows:

10.2 Power to Refuse to Grant a Private Hire or Hackney Carriage Driver or Operator Licence

That the power to refuse to grant a private hire driver licence (Section 51), a hackney carriage driver licence application (Section 59) or a private hire operator's licence application (Section 55) of the Act in that the applicant is deemed not to be a 'fit and proper person' in accordance with the legislative requirements of the Act, and the approved Council policy on 'Convictions and Cautions' as approved in January 2008, or any other special circumstances where the Officers consider it appropriate be delegated to the Assistant Director, Public Protection.

10.3 Power to refuse to Renew a Private Hire or Hackney Carriage Driver Licence

That the power to refuse to renew a private hire driver licence (Section 51) and a hackney carriage driver licence application (Section 59) of the Act in that the applicant is no longer deemed to be a 'fit and proper person' in accordance with the legislative requirements of the Act, and the approved Council policy on 'Convictions and Cautions' as approved in January 2008, or any other special circumstances where the Officers consider it necessary be delegated to the Assistant Director, Public Protection.

10.4 Power to Suspend or Revoke a Private Hire or Hackney Carriage Driver Licence

That the power to suspend or revoke a private hire or hackney carriage driver licence under Section 61 of the Act where, that since the grant of the licence – (a) (i) the holder has been convicted of an offence involving dishonesty, indecency or violence; or (a) (ii) has been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of this Act; or (b) any other reasonable cause, be delegated to the Assistant Director, Public Protection.

10.5 **Section 52 Road Safety Act 2006 as approved by the Licensing Committee on 27th September 2007**

Following the implementation of Section 52 of the Road Safety Act 2006 the Licensing Committee formally resolved that – ‘The power given to the Licensing Authority to suspend or revoke a taxi or private hire driver’s licence with ‘immediate effect’ where they are of the opinion that the interests of public safety require such a course of action, should be delegated to the Licensing Manager, in consultation with the Chair of the Licensing Committee’.

This system has worked effectively since its implementation. However there may be occasions whereby either the Licensing Manager or the Chair of the Licensing Committee may not be available either separately or at the same time. It is therefore asked that consideration be given to the following amendment;

- The principal power to remain with the Licensing Manager and the Chair of the Licensing Committee. In the absence of the Licensing Manager this power should be delegated to any Senior Licensing Officer or Licensing Officer in consultation with the Chair. In the absence of the Chair the power should be delegated to the Vice-Chair and in his absence to any of the three nominated Chairs of the Licensing Sub-Committee.

This proposal would ensure that where the use the power under Section 52 of the Road Safety Act 2006 is required, a decision in consultation between principally the Licensing Manager and then any member of the Licensing Team with the Chair or Vice-Chair of the Licensing Committee or in their absence any Chair of the three Licensing Sub-Committees can be made without unnecessary delay.

11 **Exceptions to the Recommendations**

- 11.1 Private Hire or Hackney Carriage Driver Misconduct – The above recommendations do not include matters of misconduct of private hire or hackney carriage drivers where they do not fall within the above categories. The reason for this being is that such misconduct matters may involve complaints and/or evidence from members of the public, the police, other outside agencies or other licence holders which may require their evidence to be given orally. In addition the licence holder may deny the matter of misconduct and or provide mitigation on the matter and therefore the matter should only be heard and determined by a Licensing Sub-Committee.
- 11.2 Private Hire or Hackney Carriage Vehicles – Where the driver’s licence has been suspended or revoked and it is felt that suspending or revoking the vehicle licence is not necessary as it would deprive the licence holder of financial income as the vehicle may be rented out to or used by another driver. The main reasons for suspending or revoking vehicle licences would be where the vehicle is in such a dangerous condition that it cannot be used as a private hire or hackney carriage vehicle or where the vehicle is not insured.
- 11.3 Private Hire Operators – Private hire operator owners provide employment either directly or indirectly by using or employing drivers and vehicles. Where the circumstances are such that Officers feel that any private hire operator’s licence should be considered for refusal to renew or suspended or revoked the matter should be automatically referred to a Licensing Sub-Committee to determine. Any

decision to refuse to renew or suspend or revoke an operator's licence would have immense implications on the service they provide to the public and for the drivers and vehicle licence holders that work for the operator. There would in any case be great opposition and/or mitigation by the licence holder for any these courses of action and this can only be dealt with by a Licensing Sub-Committee.

12 **Decision Making**

The approved policy on 'Convictions and Cautions' has been tested at appeals in the Magistrates' Court and has been proved to be a 'sound' and 'reliable' policy document. In using this policy document, if the above recommendations are approved it will be the responsibility of the Assistant Director, Public Protection and the Licensing Manager to ensure that all decisions are made in a **consistent, reasonable and proportionate, transparent, legal, accountable, necessary and justifiable, non-discriminatory** manner. Every decision made will necessitate written justification being provided to the applicant or the licence holder and will be the evidence as to why the decision has been made. This written justification will be the base on which to defend any appeal that may be made against the decision.

13 **Conclusion**

The Committee is requested to recommend to Council that the proposed powers as recommended and outlined in this report to be delegated from the Licensing Committee to the Assistant Director, Public Protection and for the Council's Scheme of Delegation to be amended accordingly.

14. **Appendices Attached**

- 'A' - Council Constitution – Responsibility for Functions – Licensing Committee and Licensing Sub-Committee
- 'B' - Council Constitution – Scheme of Delegations to Officers
- 'C' - Benchmarking Summary

9. **Background Papers**

Local Government (Miscellaneous Provisions) Act 1976
Equality Impact Assessment Screening

PART 3 OF THE COUNCIL CONSTITUTION

Responsibility for Functions

Body Responsible	Function	Delegation of Functions
<p>Licensing Committee (11 Members of the Authority) No Executive member other than the Commissioner with responsibility for Licensing functions or Mayor</p>	<ol style="list-style-type: none"> 1. To determine annually the number and allocation of Hackney Carriages. 2. Within the Policy Framework agreed by the Council to determine operational guidelines on Taxi Licensing 3. To consider and determine applications for licenses for Private Hire Vehicles, Operators and Drivers and Hackney Carriage Drivers where <ol style="list-style-type: none"> (1) the individuals involved have been convicted of traffic or other offences (2) Where the CRB checks on an individual gives cause for concern with regard to their suitability as a fit and proper to hold such a licence (30 in any other special circumstances where the Officers consider it appropriate to refer the matter to the Committee. 6. To determine conditions of licenses; set fares and charges; and to determine the extent of delegation to Officers regarding the issue or suspension of licenses under Part II of the Local Government (Miscellaneous Provisions) Act 1976 relating to Hackney Carriages and private Hire Vehicles and to authorise enforcement action. 	<p>1-11 (inclusive) Most Operational aspects fall to be dealt with by Officers under the Scheme of Delegation.</p> <p>A Licensing Hearing Sub Committee will be appointed to hear licensing applications referred to Committee</p>

PART 3 OF THE COUNCIL CONSTITUTION

Scheme of Delegation to Officers

	<u>Hackney Carriages and Private Hire Vehicles</u>	
69.	(a) Substitution of vehicles under existing Hackney carriages and Private Hire Licenses	Head of Public Protection
	(b) Transfer of ownership of Hackney Carriages and private Hire Vehicles	Head of Public Protection
	(c) The grant or renewal of Hackney Carriage Drivers and Private Hire Vehicles, Operators and Driver's Licenses (except when drivers have convictions) in accordance with guidelines laid down.	Head of Public Protection

	BENCHMARKING	
Local Authority	Function	Delegation
Surrey Heath	Issue, revoke, suspend or refuse all PH and HC licences	<ul style="list-style-type: none"> • Head of Legal and Corporate Services • Licensing Manager
Spelthorne	Issue PH and HC licences	<ul style="list-style-type: none"> • Strategic Director – Licensing Officers
	Suspend PH and HC licences	<ul style="list-style-type: none"> • Strategic Director with Chair of the Licensing Committee
	All other functions for PH and HC licensing i.e. Conduct etc	<ul style="list-style-type: none"> • Licensing Committee
Runnymede	Issue PH and HC licences and suspend vehicle licenses	<ul style="list-style-type: none"> • Licensing Officers
	All other functions including suspension or revocation of drivers licences etc	<ul style="list-style-type: none"> • Director of technical Services and or Licensing Committee
Wokingham	All functions and powers for PH and HC licensing	<ul style="list-style-type: none"> • Licensing Officers
Reading	To issue all PH and HC licences	<ul style="list-style-type: none"> • Head of Environmental and Consumer Services – Licensing Officers
	All other functions including suspension or revocation of licences	<ul style="list-style-type: none"> • Licensing Committee
South Bucks	To issue all PH and HC licences	<ul style="list-style-type: none"> • Licensing Officers
	All other functions including suspension or revocation of licences	<ul style="list-style-type: none"> • Licensing Committee
RBWM	License or refuse to license HC and PH vehicles and vary conditions. To prosecute for offences. Prepare and vary guidance. Consult on HC ranks. To suspend and or revoke HC and PH drivers and vehicle licences	<ul style="list-style-type: none"> • Licensing Officers

West Berks	All powers to issue, refuse to grant and or renew licences and to suspend or revoke any PH or HC licences	<ul style="list-style-type: none"> • Head of Public Protection Services – Licensing Officers
Bracknell Forest	To issue or refuse to grant and to suspend all PH and HC licences.	<ul style="list-style-type: none"> • Licensing Officers
	Revocation of PH and HC licences	<ul style="list-style-type: none"> • Head of Service
Basingstoke	Issue all PH and HC licences	<ul style="list-style-type: none"> • Licensing Officers
	Refuse to grant, refuse to renew suspend or revoke any PH or HC Driver's licence	<ul style="list-style-type: none"> • Head of Service
Elmbridge	Issue all PH and HC licences, to suspend PH and HC vehicle licences	<ul style="list-style-type: none"> • Strategic Director of Services – Licensing Officers
	To suspend PH and HC vehicle licences	<ul style="list-style-type: none"> • Strategic Director of Services – Licensing Officers
	To suspend HC and PH Operator's and Driver's licences	<ul style="list-style-type: none"> • Subject to notifying Portfolio Holder or Regulatory Affairs, or Chairman or Vice Chairman of the Licensing Committee as soon as possible thereafter
	To revoke, refuse to grant or renew HC and Ph licences	<ul style="list-style-type: none"> • Licensing Sub Committee
Reigate and Banstead	Grant, renew transfer, suspend, refuse, revoke all PH and HC licences	<ul style="list-style-type: none"> • Delegated to Head of Environmental Health Services. – Licensing Officers