



Haverling

L O N D O N B O R O U G H

LICENSING SUB-COMMITTEE THE GOOSE - GAMBLING ACT

AGENDA

11.00 am	Monday 24 September 2018	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Philippa Crowder (Chairman)
Bob Perry (Vice-Chair)
John Tyler

**For information about the meeting please contact:
Victoria Freeman - 01708 433862
victoria.freeman@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENT

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 REPORT OF THE CLERK (Pages 1 - 8)

Procedure for the Hearing - Gambling Act 2005

5 APPLICATION TO VARY A LICENSED PREMISES GAMING MACHINE PERMIT - THE GOOSE, 143 SOUTH STREET, ROMFORD, RM1 1PL (Pages 9 - 32)

Andrew Beesley
Head of Democratic Services

**LICENSING
SUB-COMMITTEE**

REPORT

24 September 2018

Subject Heading:	Procedure for the Hearing: Gambling Act 2005
Report Author and contact details:	Victoria Freeman (01708) 433862 e-mail: victoria.freeman@onesource.co.uk

Members are advised that, when considering an application to vary a Gaming Machine Permit. The following options are available by virtue of the section 15 of Schedule 13 of The Gambling Act 2005:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Gambling Act 2005 will govern the arrangements for the hearing of the application under consideration.

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
 - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
 - 1.2.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Location and facilities:

- 3.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 3.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

4. Notification of attendance:

- 4.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

5. Procedural matters:

- 5.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 5.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

6. Representations:

- The Chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Gambling Commission
- the Police
- the Fire Service
- the Local Planning Authority
- Environmental Health
- HM Revenue and Customs
- Childrens Social Services
- A licensing authority in whose area the premises is situated (that is, the Council itself and also any adjoining Council where premises straddle the boundaries between the two).

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. 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**

7. Failure of parties to attend the hearing:

- 7.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

8. Adjournments and extension of time:

- 8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- Applications for conversion of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being granted;

- Applications for variation of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being rejected;
- Applications for conversion of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being granted;
- Applications for variation of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being rejected;
- Applications made by holders of justices' licences for personal licences must be determined within 3 months of the application first being received. In default of a decision not being made within this period the application will be treated as being granted;
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

9. Sub-Committee's determination of the hearing:

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

10. Power to exclude people from hearing:

- 10.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
 - it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or

- that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

11. Recording of proceedings:

- 11.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

12. Power to vary procedure:

- 12.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.

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Havering
LONDON BOROUGH

Licensing Officer's Report



LICENSING SUB-COMMITTEE

REPORT

24 September 2018

Subject heading:

Goose 143 South Street Romford
RM1 1PL
Licensed premises gaming machine
permit variation application
Paul Jones, Licensing Officer
c/o Town Hall Main Road
licensing@havering.gov.uk
01708 432777

Report author and contact details:

This application to vary a licensed premises gaming machine permit is made by Stonegate Pub Company Ltd further to the provisions of schedule 13 of the Gambling Act 2005. The application was received by Havering's Licensing Authority on 5th September 2018.

Geographical description of the area and description of the building

The Goose is located in Romford's town centre opposite Romford station.

Details of the application

This application is to vary the extant licensed premises gaming machine permit, to increase the number of category C machines available for use from six to seven.

Comments and observations on the application

The application was made in accordance with the provisions of the Act and in accordance with Havering's statement of gambling policy. Paragraph 10.6 of Havering's gambling policy states:

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." The 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 harm or being exploited by gambling. The Authority will also expect the applicant to satisfy it 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 helpful.

Paragraph 10.7 states:

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 machines. Notifications and applications for two or three machines will generally be dealt with by Licensing Authority officers. Those for four or five machines will be determined by Licensing Officers in consultation with the Chair of the Licensing Committee, and applications for six or more machines will be referred to a Licensing Sub-Committee.

Summary

The application has been referred to the Police for comment but at the time of writing this report a response has yet to be received.



Havering
LONDON BOROUGH

Copy of Application



London Borough of Havering

NOTIFICATION OF 2 OR LESS GAMING MACHINES OR GAMING MACHINE PERMIT APPLICATIONS (i.e for greater than 2 machines) for: CONVERSION / NEW / VARIATION / TRANSFER

(FOR USE BY PREMISES LICENCES TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)
Please refer to guidance notices at the back of this form before completing

SECTION A – What do you want to do	
1. Please indicate what you would like do	
a) Notify licensing authority that you intend to provide up to a maximum total of 2 gaming machines category C and / or D <i>(If you choose this option please complete sections D and E)</i>	<input type="checkbox"/>
b) Apply to convert an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit (ie for more than 2 gaming machines) <i>(if you choose this option then please complete sections B, D and E)</i>	<input type="checkbox"/>
c) Apply for a new licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i>	<input type="checkbox"/>
d) Apply to vary an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i>	<input checked="" type="checkbox"/>
e) Apply to transfer an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections C, D and E)</i>	<input type="checkbox"/>

SECTION B – Application for grant (includes <u>conversion</u>, <u>new</u> and <u>variation</u> applications)		
2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provided? (please complete the boxes in the table)		
Category machine	Number currently authorised to provide	Number wish to provide (new or variation)
C	6	7
D		
TOTAL	6	7
3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided. Existing permit provided *		<input checked="" type="checkbox"/>
<i>(reasons why existing permit cannot be provided)</i>		

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

London Borough of Havering
NOTIFICATION OF 2 OR LESS GAMING MACHINES OR GAMING MACHINE PERMIT APPLICATIONS (i.e for greater than 2 machines) for: CONVERSION / NEW / VARIATION / TRANSFER

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

SECTION C – Application for permit <u>transfer</u> (ie, where a transfer has been requested for the Licensing Act 2003 premises licence)	
4. Name of person requesting the transfer 	
5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:	Requested <input type="checkbox"/> Granted <input type="checkbox"/>
6. Please provide your existing permit, or provide reasons stating why it cannot be provided	Existing Permit provided <input type="checkbox"/>
Reasons why existing permit cannot be provided	

SECTION D – General Information
7. Name of Premises: Goose
8. Address of Premises: 143 South Street, Romford, RM1 1PL
9. Telephone number of Premises: 01708 761063
10. Name of existing Premises Licence holder: Stonegate Pub Company Limited
11. Address of Premises Licence holder (if different from 8 above): Porter Tun House, 500 Capability Green, Luton, LU1 3LS
12. Telephone number (daytime) of Premises Licence holder: 0845 126 2944
13. E-mail address of Premises Licence holder (where available): licensing@stonegatepubs.com
14. Name, address, telephone and e-mail of agent (eg Solicitor) if submitted on behalf of the applicant: Michelle Peach, Poppleston Allen, 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS Tel : 0115 953 8509 Email : m.peach@popall.co.uk
15. Licensing Act 2003 Premises Licence Reference (ie number): 001494

London Borough of Havering
NOTIFICATION OF 2 OR LESS GAMING MACHINES OR GAMING MACHINE PERMIT APPLICATIONS (i.e for greater than 2 machines) for: CONVERSION / NEW / VARIATION / TRANSFER

(FOR USE BY PREMISES LICENCES TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)
Please refer to guidance notices at the back of this form before completing

SECTION E – Fee and Signature(s)

I enclose a sum of (£100.00) (cheques should be made payable to)



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

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

Dated: 04 September 2018

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



Print Name: Poppleston Allen – Solicitors for & on behalf of the applicant

Official Use Only

Date of receipt

Signature and name of staff who received:

Date of receipt of fee

Signature and name of staff who received fee:

Application accepted / returned (please delete as appropriate)

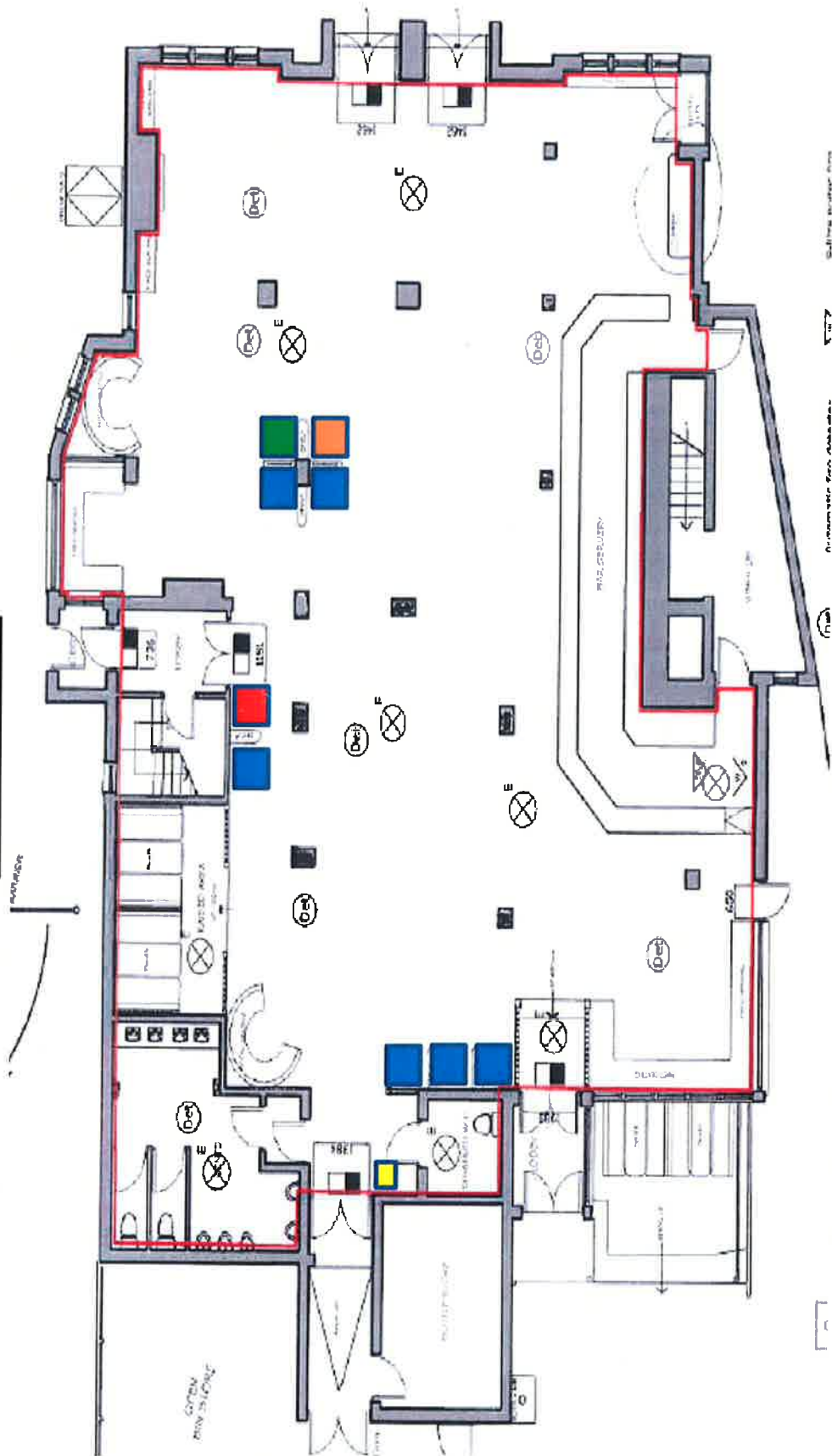
Date of premises licence (Licensing Act 2003) transfer (if applicable)

London Borough of Havering
**NOTIFICATION OF 2 OR LESS GAMING MACHINES or
GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:
CONVERSION / NEW / VARIATION / TRANSFER**

Guidance notes:

1. This form is to be used for the **notification of up to 2 gaming machines** of categories C and / or D under Section 282 of the Gambling Act 2005, or for the **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
2. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
3. The gaming machines must be located on these licensed premises.
4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
5. There is no statutory limit to the number of machines which may be applied for although the licensing authority has some discretion in this regard. It should also be noted that the licensing authority can cancel the permit or vary the number of machines should the premises be mainly used for making gaming machines available for use on the premises (Schedule 13 paragraph 16 Gambling Act 2005). You may therefore wish to contact the licensing authority to ask whether there is a local policy as regards applications and whether application for certain numbers of machines are decided via a hearing of local councilors.
6. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable by and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50.00. There are no annual fees payable for 2 machines or less.
7. Sections 282 and 283, as well as SI 2007 / of the Gambling Act 2005 provide for two types of gaming machines which can be located in alcohol licensed premises. These are:
 - a category C gaming machine has a maximum cash stake £1.00 and prize £70
 - A category D gaming machines can have different maximum stake and prizes depending on the type of machine:-
 - Where the prize is money the maximum stake 10p and cash prize £5.
 - Where the prize is not money the maximum stake is 30p and the maximum prize value is £8.
 - For mixed money and non money prize gaming machines the maximum stake is 10p and maximum prize value £8 of which £5 can be cash.
 - For crane grab machines only, which have non money prizes, maximum stake £1 and the maximum prize value £50.
 - For coin pushers or penny fall only the maximum cash stake is 10p and maximum prize value is £15 which can include up to £8 maximum of cash.
8. **All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005.** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/> Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission or your local Council licensing service.
9. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.
10. Where you are notifying the local licensing authority of 2 machines or less, you may wish to request an acknowledgement of receipt of the notification. The form attached to this application can be utilised for this purpose.

Goose Romford



- = Existing AWP
- = Existing SWP
- = Existing ATM
- = Existing Video Golf
- = Proposed additional AWP position (to replace existing SWP)

ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS

Statement

Stonegate Pub Company Limited recognises its responsibility and obligations under the Gambling Act 2005 and operates a Children and Young Person Policy in respect of its premises. This Access to Gambling policy specifically addresses the operation of gaming machines in our licensed premises.

Policy and Procedures

Stonegate Pub Company Limited acknowledges its obligation to ensure that its team members prevent children and young persons from accessing age restricted gambling activities including access to category C gaming machines.

Gaming machines are supervised by staff members and CCTV , where available, throughout operational hours.

We operate a Policy of Challenge 21/25 in order to prevent under 18s from accessing age restricted activities.

1. Under-18s are only allowed access to or to play on Category D gaming machines.
2. Under-18s are not allowed to participate in any 'exempt' gaming that may be operated at our premises, such as bingo.
3. In line with our Children and Young Person Policy, where individuals cannot produce ID upon request, they should be politely advised that they will not be permitted to participate in age restricted gaming activities.
4. Should any individual repeatedly attempt to access age restricted gambling activities, the person and or their parent/guardian should be advised that the age restriction is a legal requirement and if broken the police will be notified.
5. In cases where an adult member attempts to facilitate, encourage or endorse an underage individual from accessing age restricted gaming and machines, the adult will receive an oral warning from the Duty Manager and if this re-occurs then the individual will be barred from the premises and the matter will be reported to the Gambling Commission and where appropriate the Police.
6. Should team members become aware that an underage person has used a category C gaming machine despite the above controls being in place, the Duty Manager will

return any stake or fee to that person as soon as is reasonably practical. At the same time, any outstanding prizes or winnings for that person will not be paid.

- a. Any disagreements as to the amount gambled and due for return to the player etc. will be fully identified on the Gambling Incident Report as will a detailed description of what has taken place.
 - b. In the event of the disputed stakes being related to the playing of a gaming machine by the underage player, wherever possible the electronic record of machine play will be audited as to amounts involved in conjunction with an examination of any available and relevant CCTV footage.
7. In all cases a record of such incidents should be maintained by completion of the Company's Gambling Incident Report.

Team Members are trained as part of their induction and receive refresher training in the understanding of, and the strict adherence to this policy.

GAMING MACHINES IN ALCOHOL LICENSED PREMISES

Can I operate gaming machines?

Premises **with an 'on' licence** issued under either the Licensing Act 2003 or the Licensing (Scotland) Act 2005 are automatically entitled to make two gaming machines, of either category C or D, available for use, provided that the relevant Licensing Authority or Licensing Board (premises in Scotland) is notified.

When can I operate my machines?

Our premises can provide gaming machines if they have a bar at which alcohol is served, as long as any sale of alcohol is not limited to consumption only with food, such as through a restaurant condition.

Gaming Machines can be played at any time when alcohol may be sold to customers in reliance on the premises licence (check the permitted hours on your premises licence). Should you be operating at times not permitted by your premises licence, such as when operating under a Temporary Event Notice for extended hours, **all gaming machines must be switched off** during the extended period as you are no longer operating the hours permitted by your premises licence.

How many machines can I have?

Category	Total Number of machines	Authorisation
C or D	2	Notification
C or D	Number Specified on permit (eg. 3 Cat C and 2 Cat D)	LPGMP (Licensed Premises Gaming Machine Permit)

A Licensed Premises Gaming Machine Permit (LPGMP) allows a specified number of category C and/or D gaming machines within the licensed area. In principle any number of

machines can be included on this type of permit. LPGMP's are linked to the premises' alcohol licence and an annual maintenance fee of £50 is payable to the Licensing Authority.

Types of Gaming Machine

Gaming machines are grouped into categories based upon the maximum stake and prize limits permitted.

Category D machines are further broken down based on the type of play and prize available. Many of the styles of machine are commonly seen in family friendly arcades, such as crane grab machines and coin pusher/penny fall machines:

Age Restriction	Category		Maximum Stake	Maximum Prize
18+	Category C		£1	£100
No restriction	Category D	Money prize	10p	£5
		Non money prize (other than crane grab)	30p	£8
		Mixed money and non-money prize (other than Coin pushers or penny fall)	10p	£8 prize value, of which £5 can be cash
		Crane grab machines (non-money prizes)	£1	£50
		Coin pushers or penny fall (mixed money and non-money)	20p	£20 prize value, of which £10 can be cash

Other types of machine

Skill machines, such as quiz games, award prizes wholly based on the skill or knowledge of the player and are therefore NOT classed as gaming machines and can be operated without a licence.

Location of Gaming Machines

It is the responsibility of the Designated Premises Supervisor to ensure that all gaming machines are positioned so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means such as monitored CCTV. This ensures that under-age individuals do not gain access to age restricted machines and also enables the monitoring of players' behaviour.

Machines operated under a notification or LPGMP can be situated anywhere within the area covered by the premises licence, providing that they are appropriately supervised.

If premises provide a cash machine/ATM on site, all gaming machines must be located away from these machines so that anyone wishing to obtain cash **must** stop gambling in order to do so.

A common approach is for premises to position age restricted machines (category C) near a bar or other permanently manned position.

Gaming Machines - Display of information

All gaming machines must be display the information listed below, either by way of labelling or contained with the help screens of digital machines:

- Machine Category;
- Problem gambling resources such as the Gamcare helpline
- Age restriction (category C and above)
- % of return (prize pay-out compared to stakes placed)
- ID plate –serial Number (all machines manufactured post 2007)
- Manufacturer/supplier details
- Stake and Prize limits

Are There Any Conditions or Rules to Follow?

Permit holders, should have regard to the Gambling Commission's "**Code of Practice for Gaming Machines in Clubs and Premises with an Alcohol Licence**". Compliance with the Code is the responsibility of the Designated Premises Supervisor or Premises Manager (Scotland).

Legal requirements & conditions of your permit

1. Category C machines must only be used by players over the age of 18.
2. The Code of Practice attaches the following **conditions** of a permit, and failure to comply could result in cancellation of the permit:
 - a. The gaming machines must be situated on the premises so that their use can be supervised, either by staff whose duties include such supervision or by other means.
 - b. Permit holders must have in place arrangements for such supervision.
 - c. Gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use any ATM made available on the premises to cease gambling at the gaming machines in order to do so.

Best Practice

The Code of Practice also provides best practice guidance and the Gambling Commission considers that the following should be implemented by permit holders:

1. Age Verification procedures– Any individual who appears to be underage must be asked to provide an acceptable form of photographic identification that states the individual's date of birth is valid and legible and has no signs of tampering or reproduction. Stonegate Pub Company's Children and Young Person Policy identifies the following acceptable documentation: Photo card driving licence, passport or Accredited PASS Scheme proof of age card containing the PASS hologram.
2. Procedures for dealing with cases where underage individuals repeatedly attempt to gamble on age restricted machines (category C). This should include the provision of oral warnings, barring individuals and their parent or other responsible adult,

reporting the offence to the Gambling Commission and the police and also providing information regarding problem gambling, where relevant. Further details are contained in the Company's Access to Gambling by Children and Young Persons policy.

3. Procedures for dealing with customer complaints and disputes. The Company has implemented a gaming machine complaints and disputes policy which must be referred to. Customers must (i) be informed of the name and status of the individual who can be contacted about their complaint; (ii) be provided with a copy of the complaints procedure on request or when making a complaint.

In the event that an underage individual has placed stakes on an age limited gaming machine, stakes should be returned where possible and any winnings withheld.

What happens if a pub breaks the rules?

A Gambling Commission enforcement officer, police constable or local authority officer may visit the premises to check whether any gaming, including the operation of machines, is being provided and monitored in line with the legal requirements mentioned above. Any failure to ensure that machines are correctly operated could result in enforcement action including:

- Removal of your gaming permissions either by withdrawing the automatic entitlement under a notification for two machines or by cancelling or varying a Licensed Premises Gaming Machine Permit;
- Criminal prosecution under the Gambling Act 2005;
- Identification of a failure to promote the licensing objectives under the Licensing Act 2003, in particular the prevention of crime and disorder and/or protection of children from harm, which could result in a review of your alcohol licence by the Licensing Authority.

Our appointed licensing solicitors can provide extensive advice in respect of any gaming operated at our premises and can address any queries regarding our obligations.

Stonegate Pub Company Limited

Code of Practice for gaming machine provision: Notifications and Licensed Premises Gaming Machine Permits issued under section 282 and 283 Gambling Act 2005

Stonegate Pub Company Limited operates a national estate of over 680 premises across the United Kingdom, which are licensed under the Licensing Act 2003, including pubs and bars offering a wide variety of formats: from high-street pubs and traditional country inns to local community pubs, student pubs and late-night bars and venues. Many venues within the estate benefit from either notifications or Licensed Premises Gaming Machine Permits under relevant gambling legislation.

Stonegate Pub Company Limited will ensure all staff involved in the supervision of gaming machines will receive training on this policy and procedure.

This policy has been prepared in consideration of the Gambling Commission's Code of Practice for Gaming Machines in Clubs and Premises with an Alcohol Licence (March 2012) issued under section 24 of the Gambling Act 2005.

GENERAL

Stonegate Pub Company Limited takes its responsibilities in relation to the provision of gaming machines seriously.

Stonegate Pub Company Limited source gaming machines from Gambling Commission licensed manufacturers and ensure that all machines provided comply with the Gambling Commission's technical standards.

PERMISSIONS

- Notification of automatic entitlement to one or two gaming machines, each of which is of either Category C or D;
- Licensed Premises Gaming Machine Permit (LPGMP) authorising the making available of a specified number of gaming machines of either Category C and/or D on premises benefitting from an on-premises alcohol licence.

LICENSING OBJECTIVES

Stonegate Pub Company Limited will operate the gaming machines in accordance with the licensing objectives:-

- 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.

TRAINING

Stonegate Pub Company Limited will train staff in relation to the protection of children from harm, social responsibility and the supervision of gaming machines. Effective training records will be maintained on site for all staff members who receive such training.

CHILDREN

Stonegate Pub Company Limited recognises that its services attract a wide customer base which includes families with children. Machines are sited to ensure that effective supervision is maintained by staff members and through the use of CCTV cameras, where available.

Although unaccompanied children are not allowed in many premises across the Stonegate Pub Company Limited estate, all gaming areas will be monitored for children who are unaccompanied during school hours, which will assist in the prevention of truant school children using the gaming machine facilities. Stonegate Pub Company Limited will contact the relevant schools, where possible, the local Authority or the Police if truant children are discovered in the gaming area or if unsupervised children are causing problems.

AGE RESTRICTIONS AND RETURN OF STAKE

Children and young persons under the age of 18 are not permitted to use gaming machines other those in Category D.

In the unlikely event of individuals under the age of 18 using category C machines in Stonegate Pub Company limited premises, all staff members are appropriately trained to record such events and ensure that all stakes are returned to those individuals and that all prizes are retained by the premises and not provided to underage players.

IDENTIFICATION

Stonegate Pub Company Limited operates a 'challenge 21' scheme across many premises within its estate and age verification procedures are in effect at all premises to prevent underage gambling. All Stonegate Pub Company Limited premises only accept appropriate identification documentation in accordance with mandatory licence conditions attached to their premises licence by virtue of section 19A of the Licensing Act 2003.

SUPERVISION

Supervision of the games area will be undertaken on site by the management and staff employed by Stonegate Pub Company Limited. This policy is in effect to protect children from harm and the Company understands that harm in this context is not limited to harm from gambling but includes wider child protection considerations. Stonegate Pub Company Limited provide training with regard to suspected truancy and house staff will be trained to deal with unsupervised children and children causing perceived problems on or around the premises. Staff and security members will make regular sweeps of the gaming area.

CCTV

Stonegate Pub Company Limited provides closed circuit television within many premises across its estate, which may assist with the monitoring and supervision of gaming machine areas.

RECORDS

Stonegate Pub Company Limited premises will keep a clear written record of any incidents arising from concern about the use of gaming machines provided on site that will specifically identify issues of children accessing machines and social responsibility.

MACHINE LOCATION

All gaming machines will be located where their use can be continually monitored and will be situated so that any customer wishing to use an ATM, which may be made available, must cease gambling at the gaming machine in order to do so.

MAXIMUM STAKES AND PRIZES

The maximum stake and prize limits for category C machines are £1 and £100 respectively.

The maximum stake and prize limits for category D machines depend upon the type of machine and are as follows:-

- Where the prize is money the maximum stake is 10p and the cash prize is £5.
- Where the prize is not money the maximum stake is 30p and the maximum prize value is £8
- For mixed money and non-money prize gaming machines the maximum stake is 10p and the maximum prize value is £8 of which £5 can be cash
- For crane grab machines only, which have non money prizes, the maximum stake is £1 and the maximum prize value is £50
- For coin pushers or penny fall only, the maximum stake is 20p and the maximum prize value is £20 which can include up to £10 maximum of cash.

