



**WATFORD
BOROUGH
COUNCIL**

LICENSING SUB COMMITTEE

14 September 2017

10.30 am

Town Hall, Watford

Please note the start time of this meeting

Contact

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legalanddemocratic@watford.gov.uk
01923 278376

For information about attending meetings please visit the council's [website](#).

Publication date: 6 September 2017

Committee Membership

Councillors S Bolton, J Connal, K Crout, A Dychton, J Fahmy, K Hastrick, M Hofman, P Jeffree, Ahsan Khan, B Mauthoor, M Mills, M Parker, G Saffery, D Scudder and R Smith

The Sub-Committee to comprise 3 members from those listed above.

Agenda

Part A – Open to the Public

1. **Committee membership/ election of a Chair**
2. **Disclosure of interests (if any)**
3. **Application, under the Gambling Act 2005, to provide Category C and Category D gaming machines: Hollywood Bowl, Leisure Box, Watford Intu, Charter Place, Watford, WD17 2UB (Pages 3 - 33)**

The Licensing Sub-Committee to determine whether to grant the gaming machine permit application for four Category C and thirty two Category D gaming machines.

PART A

Report to: Licensing Sub Committee
Date of meeting: 14 September 2017
Report of: Head of Community & Environmental Services
Title: Gaming Machine Permit Application
Hollywood Bowl, Unit No.WRP:0108, Leisure Box, Intu Watford,
Charter Place, Watford WD17 2UB.
17/00777/GAAWP

1.0 SUMMARY

1.1 An application has been received under the Gambling Act 2005 from The Original Bowling Company Limited to provide 4 Category C gaming machines and 32 Category D machines for the newly licenced premises Hollywood Bowl, Intu, Charter Place, Watford.

Paragraph 19.11 of the Council's Statement of Principles for the Gambling Act 2005 states that application for five machines or more will be referred to a Licensing Sub Committee.

2.0 RECOMMENDATIONS

2.1 That the Licensing Sub-Committee determines whether to grant the gaming machine permit application for 4 Category C and 32 Category D machines in respect of Hollywood Bowl.

Contact Officer:

For further information on this report please contact: Parminder Seyan
(Licensing Officer) telephone 01923 278434: email:
Parminder.Seyan@watford.gov.uk

Report approved by: Alan Gough, Head of Community & Environmental Services

3.0 **APPLICATION**

3.1 Type of authorisation applied for

Licensed Premises Gaming Machine Permit issued under the Gambling Act 2005.

3.2 Description of premises

The premises benefits from a premises licence 17/00745/LAPRE granted under the Licensing Act 2003. It is a tenpin bowling centre with licensable activities.

A plan of the premises showing the locations of the four category C and thirty two category D machines is attached at appendix 1.

3.3 Licensable activities

A gaming machine permit for four category C machines and thirty two category D machines is required to be granted by a Sub Committee in accordance with the Council's Statement of Principles.

A breakdown of gaming machine categories detailing maximum stakes and maximum prizes is attached at appendix 2.

4.0 **BACKGROUND INFORMATION**

4.1 The following background information is known about these premises:

4.2 Current licences held

The premises currently does not hold a gaming machine permit.

Hollywood Bowl holds a premises licence under the Licensing Act 2003 (17/00745/LAPRE)

5.0 **GAMBLING OBJECTIVES**

5.1 The Licensing Authority in exercising their functions under Section 153 of the Gambling Act 2005 shall aim to permit the use of the premises for gambling so far as it thinks it is:

- (a) in accordance with any relevant code of practice issued by the Gambling Commission under section 24,
- (b) in accordance with any relevant guidance issued by the Commission under section 25;

- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)) and
- (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

The licensing objectives are:

- (a) preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime,
- (b) ensuring that gambling is conducted in a fair and open way, and
- (c) protecting children and other vulnerable persons from being harmed or exploited by gambling.

6.0 **RESPONSIBLE AUTHORITIES**

- 6.1 Gaming machine permits are not required to be notified to responsible authorities.

7.0 **POLICY CONSIDERATIONS**

- 7.1 The following provisions of the Gambling Act 2005 apply to this application:

Part 12 Club, Pubs, Fairs etc S.277-278 & 283 (appendix 3)

Schedule 13 of the Gaming Act 2005 Licensed Premises Gaming Machine Permits (appendix 4)

- 7.2 The following provisions of the Gambling Commission's Guidance to Licensing Authorities (5th edition September 2015)

Premises Licensed to sell alcohol
Paragraphs 26.1 – 26.27 (appendix 5)

- 7.3 The following paragraphs of the licensing authority's Gambling Act 2005 statement of principles apply to this application:

(Alcohol) Licensed premises gaming machine permits
Paragraphs 19.1 – 19.11 (appendix 6)

7.4 The Sub-Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the Borough.

7.5 The Sub-Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

8.0 OFFICER'S OBSERVATIONS

8.1 The Committee needs to be satisfied that the Gambling Commissions Code of Practice is adhered to by the operators (see appendix 7).

8.2 To support their application, the applicant has submitted The Original Bowling Company code of practice and a list of premises holding gaming machine permits (see appendix 9).

8.3 Having reviewed the applicant's code of practice and the application, officers would consider this application to be in line with the council's statement of principles.

9.0 CONCLUSION

9.1 The Committee Members are asked to consider the application (attached at appendix 8) and take into consideration when making their decision the Borough of Watford Gambling Act 2005 Statement of Licensing Principles, any relevant guidance issued by the Gambling Commission under section 25 of the Act and the licensing objectives as set out in the Gambling Act 2005.

9.2 The actions available to the Committee are:

1. to grant the application in full
2. to grant the application either for a smaller number of machines, or for a different category of gaming machines, than specified in the application, or both a smaller number and different category of machines, or
3. refuse the application

9.3 If Members do decide to refuse the application, or grant it for a smaller number of machines or different category of machines, the applicant has a

right to appeal to the magistrates' court within 21 days of receiving notice of the decision.

Appendices

Appendix 1 – Premises Plan

Appendix 2 – List of gaming machine categories

Appendix 3 – Gambling Act 2005, Part 12 Clubs, Pubs, Fairs etc

Appendix 4 – Gambling Act 2005, Schedule 13 Licensed Premises Gaming Machine Permits

Appendix 5 – Gambling Commission's Guidance to Licensing Authorities (5th edition September 2015)

Appendix 6 – Watford Borough Council's Gambling Act 2005 Statement of Principles (January 2016 – 2019)

Appendix 7 – Gaming Machine Permits Code of Practice (August 2014)

Appendix 8 – Gaming Machine Permit Applications (i.e. for greater than 2 machines) for: NEW

Appendix 9 – The Original Bowling Limited Code of Practice.

Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Gambling Act 2005

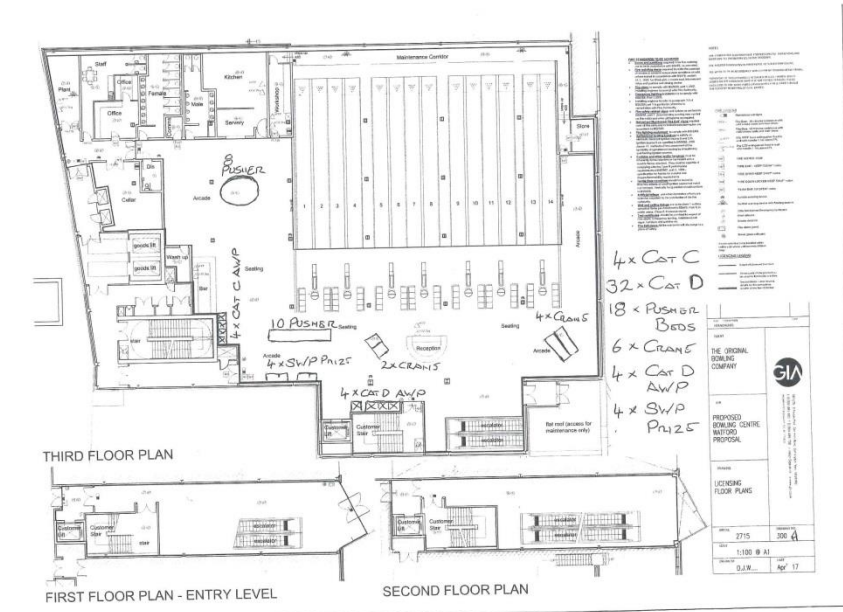
Guidance to Licensing Authorities (5th Edition September 2015)

Watford Borough Council Gambling Act 2005 Statement of Principles (January 2016-2019)

Gaming Machine Permits Code of Practice (August 2014)

File Reference

Hollywood Application



Summary of gaming machine categories and entitlements

Category of machine	Maximum stake (from Jan 2014)	Maximum prize (from Jan 2014)
A	Unlimited - No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D - non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30P	£8
D - non-money prize (crane grab machine)	£1	£50
D - money prize (other than a coin pusher or penny falls machine)	10P	£5
D - combined money and non-money prize (other than a coin pusher or penny falls machine)	10P	£8 (of which no more than £5 may be a money prize)
D - combined money and non-money prize (coin pusher or penny falls machine)	20P	£20 (of which no more than £10 may be a money prize)

*with the option of a maximum £20,000 linked progressive jackpot on a premises basis only

277 Alcohol licence

In this Act—

- (a) “alcohol licence” means a premises licence under Part 3 of the Licensing Act 2003 (c. 17),
- (b) “on-premises alcohol licence” means a premises licence under that Part which authorises the supply of alcohol for consumption on the licensed premises, and
- (c) “relevant Scottish licence” means any licence granted under section 9(1) of the Licensing (Scotland) Act 1976 (c. 66) (licence for sale by retail or supply of alcoholic liquor) provided it is not an off-sale licence.

278 Application of sections 279 to 284

- (1) Sections 279 to 284 apply to premises (other than a vehicle)—
 - (a) in respect of which an on-premises alcohol licence or relevant Scottish licence has effect,
 - (b) which contain a bar at which alcohol is served for consumption on the premises (without a requirement that alcohol is served only with food), and
 - (c) at a time when alcohol may be supplied in reliance on the alcohol licence or sold for consumption on the premises in reliance on the relevant Scottish licence.
- (2) In those sections a reference to a licensing authority includes a reference to the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple.

283 Licensed premises gaming machine permits

- (1) A person does not commit an offence under section 37 or 242 if he makes a gaming machine of Category C or D available in accordance with a licensed premises gaming machine permit.
- (2) A licensed premises gaming machine permit is a permit issued by a licensing authority authorising a person to make gaming machines of Category C or D (or both) available for use on premises to which this section applies.
- (3) A licensed premises gaming machine permit shall, by virtue of this subsection, be subject to the condition that the holder comply with any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine.

- (4) Subsection (1) does not disapply section 37 or 242 in respect of premises at a time when gaming machines are made available for use on those premises in reliance on a club gaming permit or a club machine permit.
- (5) Schedule 13, which makes further provision about licensed premises gaming machine permits, shall have effect except in relation to Scotland.

APPENDIX 4

SCHEDULE 13 (Gaming Act 2005) LICENSED PREMISES GAMING MACHINE PERMITS

Making of application

1 (1) A person who applies to a licensing authority (in its capacity as a licensing authority under the Licensing Act 2003 (c. 17)) for an on-premises alcohol licence or who holds an on-premises alcohol licence issued by a licensing authority (in that capacity) may apply to that licensing authority (in its capacity as a licensing authority under this Act) for a licensed premises gaming machine permit.

(2) An application may not be made under this Schedule if a licence under Part 8 has effect in relation to the premises

2 An application for a permit must—

(a) be made in such form and manner as the licensing authority may direct,

(b) specify the premises in respect of which the permit is sought,

(c) specify the number and category of gaming machines in respect of which the permit is sought,

(d) contain or be accompanied by such other information or documents as the licensing authority may direct, and

(e) be accompanied by the prescribed fee.

3 Sections 154 and 155 shall have effect in relation to the functions of a licensing authority under this Schedule as they have effect in relation to functions of a licensing authority under Part 8.

4 (1) A licensing authority to whom an application is made under this Schedule shall consider it having regard to the licensing objectives, any relevant guidance issued by the Commission under section 25 and such other matters as they think relevant.

(2) On considering an application for a permit a licensing authority shall—

(a) grant the application,

(b) refuse the application, or

(c) grant it in respect of—

(i) a smaller number of machines than that specified in the application,

(ii) a different category of machines from that specified in the application, or

(iii) both.

- 5 (1)A licensing authority may not attach conditions to a permit.
(2)As soon as is reasonably practicable after granting an application, a licensing authority shall issue a permit to the applicant.
(3)As soon as is reasonably practicable after refusing an application a licensing authority shall notify the applicant of—
(a)the refusal, and
(b)the reasons for it.
- 6 (1)A licensing authority may grant an application under this Schedule only if the applicant holds an on-premises alcohol licence.
(2)A licensing authority may not refuse an application, or grant an application in respect of a different category or smaller number of gaming machines than that specified in the application, unless they have—
(a)notified the applicant of their intention to refuse the application, or grant the application in respect of—
(i)a smaller number of machines than that specified in the application,
(ii)a different category of machines from that specified in the application, or
(iii)both, and
(b)given the applicant an opportunity to make representations.
(3)A licensing authority may satisfy sub-paragraph (2)(b) by giving the applicant an opportunity to make—
(a)oral representations,
(b)written representations, or
(c)both.
(4)Sub-paragraph (2)(b) shall not apply in respect of a refusal if the refusal was by virtue of sub-paragraph (1).

Form of permit

- 7 (1)A permit must be in the prescribed form and must specify—
(a)the person to whom it is issued,
(b)the premises,
(c)the number and category of gaming machines which it authorises, and
(d)the date on which it takes effect.

(2) If the person to whom a permit is issued changes his name or wishes to be known by another name—

(a) he may send the permit to the licensing authority with—

(i) the prescribed fee, and

(ii) a request that a new name be substituted for the old name, and

(b) the licensing authority shall comply with the request and return the permit to the holder.

APPENDIX 5

Gambling Commission's Guidance to Licensing Authorities (5th edition September 2015)

Part 26: Premises licensed to sell alcohol

26.2 S.279-284 of the Act only apply to premises in respect of which an on-premises alcohol licence (in England and Wales) or a premises licence under the Licensing (Scotland) Act 2005 has been issued – provided that, in the case of Scotland, it is not a licence authorising the sale of alcohol for consumption off the premises only – and that have a bar at which alcohol is served, without a requirement that alcohol is served only with food. So any hotel, restaurant or pub that has a bar can offer gambling under Part 12 of the Act, but hotels and restaurants that serve alcohol only with food cannot.

Automatic entitlement to two machines

26.4 S.282 of the Act provides an automatic entitlement to alcohol licence holders to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises alcohol licence or relevant Scottish licence must give notice to the licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee (as set by regulations)⁸². If the person ceases to be the holder of the relevant alcohol licence for the premises, the automatic entitlement to the two gaming machines also ceases. Whoever applies for the new premises alcohol licence would also need to apply under s.282(2). A renewal of the automatic entitlement is required only where there is a change in the alcohol licence premises holder (either due to a transfer of licence or application for new licence), not for a change in designated premises supervisor /designated premises manager alone. As there is no requirement to stipulate whether the alcohol licensed premises intends to site category C or D or one of each category, a re-notification should not be required for a change in the mix of gaming machines made available provided it remains within the automatic entitlement to two machines of either category C or D.

26.5 This is not an authorisation procedure. Licensing authorities have no discretion to consider the notification or to turn it down. The only matter to determine is whether the person applying for the automatic gaming machine entitlement is the holder of the alcohol licence and whether the prescribed fee has been paid. There is no statutory requirement for pubs and other alcohol-licensed premises to display a notice of their automatic entitlement to gaming machines.

Removal of exemption

26.6 Licensing authorities can remove the automatic authorisation in respect of any particular premises by making an order under s.284 of the Act. They can do so 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 s.282, for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
- the premises are mainly used for gaming
- an offence under the Act has been committed on the premises.

26.7 Before making an order, the licensing authority must give the licensee at least 21 days' notice of the intention to make the order and consider any representations that they may make. The licensing authority must hold a hearing if the licensee so requests and must comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the Magistrates' court or the Sheriff.

Licensed premises gaming machine permits

26.8 Licensing authorities may issue licensed premises gaming machine permits for any number of category C or D machines in licensed premises. Where a permit authorises the making available of a specified number of gaming machines in particular premises, this will effectively replace, and not be in addition to, any automatic entitlement to two machines under s.282 of the Act.

26.9 Holders of licensed premises gaming machine permits are required to comply with a code of practice issued by the Commission on the location and operation of machines, Code of practice for gaming machines in clubs and premises with an alcohol licence.

26.10 The detail of how to apply for licensed premises gaming machine permits is set out in Schedule 13 of the Act (for England and Wales) and in The Licensed Premises Gaming Machine Permits (Scotland) Regulations 2007 (for Scotland).

26.11 Applications must be made by a person or organisation that holds the on-premises alcohol licence for the premises for which the application is made. An application may not be made if a premises licence under the Act is in effect at the premises. The application must be made to an authority in whose area the premises are wholly or partly situated. The Act requires an application to include information on the premises to which it relates and the number and category of gaming machines sought. Apart from this it is for the licensing authority to direct the form

and manner of the application and what additional information and documents are required.

26.12 In determining an application, the licensing authority must have regard to the licensing objectives and to this Guidance. They may also take account of any other matters that are considered relevant to the application. The application does not require notification to the Commission or police before determination, however, licensing authorities are able to specify this as a requirement should they see fit.

26.13 The licensing authority may grant or refuse an application. In granting the application, it may vary the number and category of gaming machines authorised by the permit. If granted, the licensing authority must issue the permit as soon as possible after that. Where they refuse the application they must notify the applicant as soon as possible, setting out the reasons for refusal. The licensing authority must not refuse an application, or grant it for a different number or category of machines, unless they have notified the applicant of their intention to do so and given the applicant an opportunity to make representations, orally, in writing, or both.

26.14 The permit must specify the person or organisation to which it is issued, the number and category of gaming machines for which the permit has effect, the address of the premises and the date on which it takes effect.

26.15 The permit holder can apply to the licensing authority to amend the permit to reflect a change in the holder's name. They must comply with the request, provided the prescribed fee is paid.

26.16 The permit holder must keep the permit on the premises and it must be produced on request for inspection by a constable, enforcement officer or local authority officer. Not to do so is an offence. If the permit is lost, stolen or damaged, the holder may apply to the issuing authority for a copy, accompanied by the prescribed fee.

26.17 There are no renewal provisions for this class of permit because they are indefinite and continue in force for so long as the premises continues to have an alcohol licence and the holder of the permit continues to hold that licence. The permit can lapse if the holder surrenders it to the licensing authority.

26.18 The holder may apply to vary the permit by changing the number and/or category of machines authorised by it.

26.19 The licensing authority is able to cancel a permit. It may only do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Act has been committed. Before it cancels a permit the licensing authority must notify the holder, giving 21 days notice of

intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed. Where the licensing authority cancels the permit, the cancellation does not take effect until the period for appealing against that decision has elapsed or, where an appeal is made, until the appeal is determined.

19. (Alcohol) Licensed premises gaming machine permits

19.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

19.2 Under section 284 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 (ie, 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.

19.3 Should it be necessary to issue a section 284 order, the licence-holder will be given at least twenty-one days' notice of the intention to make the order, and consider any representations which might be made. The authority will hold a hearing if the licensee requests.

19.4 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."

Statement of principles

19.5 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 harm 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 use the adult-only gaming machines. The authority will take into account whether access by children to the premises under the Licensing Act 2003 is restricted or not.

19.6 Measures which will satisfy the authority that there will be no access may include the adult machines being in site of the bar, or in the sight of staff that 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.

19.7 A plan must accompany applications indicating where, and what type, of gambling machines are to be provided. This plan may take the form of an amendment to the plan attached to the premises licence issued under the Licensing Act 2003.

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

premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an adult entertainment centre premises licence.

19.9 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.

19.10 It should also be noted that the holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

Administrative matters

19.11 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 officers in consultation with the Chair of the Licensing (Licensing Act 2003) Committee, and applications for five or more machines will be referred to a Licensing sub-Committee of councillors.

Code of practice for gaming machines in clubs and premises with an alcohol licence

For club gaming permits, club machine permits and alcohol licensed premises

August 2014

1 For club gaming permits, club machine permits and alcohol

This is the Commission's Code of Practice issued under section 24 of the Gambling Act 2005 (the Act) relating to provision of facilities for gaming machine gambling in accordance with club gaming, club machine and alcohol licensed premises permits. This includes:

- Registrations under Parts II and III of the Gaming Act 1968 which, under transitional provisions, are treated as club gaming and club machine permits respectively
- Club gaming and club machine permits issued under the Club Gaming and Club Machine Permits (Scotland) Regulations 2007
- Premises which have a licence issued by a Licensing Board under section 26(1) or 47(2) of the Licensing (Scotland) Act 2005 authorising the sale of alcohol on the premises.

Code provision 1.1

Club gaming permits, club machine permits and alcohol Gaming machines in clubs and premises with an alcohol licence

- 1 Compliance with the code of practice should be the responsibility of a designated person:
 - in pubs in England and Wales: the designated premises supervisor (which the Licensing Act 2003 requires as a condition of any alcohol premises licence)
 - in premises which are licensed to serve alcohol for consumption on the premises under the relevant Scottish licence: the premises manager (which the Licensing (Scotland) Act 2005 requires as a condition of the premises licence), or,
 - where an occasional licence is held, a responsible person designated by the holder of the licence
 - in clubs in England and Wales:
 - if an alcohol licence is held, the designated premises supervisor
 - if no alcohol licence is held, a responsible individual to be nominated by the club management or other governing body elected by the members
 - in clubs in Scotland:
 - for a qualifying club under the Licensing (Clubs) (Scotland) Regulations 2007 (SI No 76 of 2007) a person nominated by the club management committee, or other governing body elected by the members, and who is trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007
 - for a qualifying club operating under an occasional licence a responsible person to be nominated by the club management committee or other governing body elected by the members
 - the name and contact details of the nominated person should be made available to the clerk of the relevant licensing board.

2 Location and operation of machines

All permit holders

Compliance with these provisions is a condition of your permit, and failure to do so could result in revocation of the permit.¹

Code provision 2.1

Location and operation of machines

All permit holders

- 1 All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.
- 2 Permit holders must have in place arrangements for such supervision.
- 3 All 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. 'ATM' means a machine located on the premises, which enables a person using it to obtain cash by use of a credit or debit card.

3 Access to gambling by children and young persons

Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.

Code provision 3.1

Access to gambling by children and young persons

All permit holders

- 1 Permit holders should put into effect procedures intended to prevent underage gambling. This should include procedures for:
 - checking the age of those who appear underage
 - refusing entry to anyone unable to produce an acceptable form of identification.
- 2 Permit holders should take all reasonable steps to ensure that all relevant employees understand their responsibilities for preventing underage gambling.
 - Permit holders should only accept identification which:
 - contains a photograph from which the individual can be identified
 - states the individual's date of birth
 - is valid
 - is legible and has no visible signs of tampering or reproduction.
- 3 The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.

¹ Compliance with these provisions is a condition of the relevant permit as a result of the Gambling Act 2005: section 271 for Club Gaming Permits, section 273 for Club Machine Permits, section 282 for alcohol licensed premises using their automatic machine permissions and section 283 for licensed premises Gaming Machine Permits and alcohol licensed premises Gaming Machine Permits.

Code provision 3.2

Access to gambling by children and young persons

All permit holders

- 1 Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on category B or C machines, including oral warnings, reporting the offence to the Commission and the police, and making available information on problem gambling.

4 Complaints and disputes

Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.

Code provision 4.1

Complaints and disputes

All permit holders

- 1 Permit holders should put into effect a written procedure for handling customer complaints and disputes regarding the use of gaming machines on their premises
- 2 A 'complaint' means a complaint about any aspect of the permit holder's conduct of their permissible activities, and a 'dispute' is any complaint which:
 - a) is not resolved at the first stage of the complaints procedure, and
 - b) relates to the outcome of the complainant's gambling transaction.
- 3 Permit holders should ensure that:
 - customers are told the name and status of the person to contact about their complaint
 - customers are given a copy of the complaints procedure on request or on making a complaint
 - all complaints are handled in accordance with the procedure.

Gambling Commission August 2014

Keeping gambling fair and safe for all

For further information or to register your interest in the Commission please visit our website at:
www.gamblingcommission.gov.uk

Copies of this document are available in alternative formats on request.

Gambling Commission
Victoria Square House
Victoria Square
Birmingham B2 4BP

T 0121 230 6666

F 0121 230 6720

E info@gamblingcommission.gov.uk

Gambling Commission August 2014
ADV 14/07

Bond Dickinson

**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 LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE
PREMISES)

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

To: Walford Borough Council Town Hall Walford WD17 3EX	
-----------------------------------------------------------------	--

SECTION A – What do you want to do?

1. Please indicate what you would like to do:

a) Notify licensing authority that you intend to provide up to a maximum total of 2 gaming machines category C and / or D (if you choose this option then please complete sections D and E)	<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 (i.e. for more than 2 gaming machines) (if you choose this option then please complete sections B, D and E)	<input type="checkbox"/>
c) Apply for a new licensed premises gaming machine permit ((if you choose this option then please complete sections B, D and E)	<input checked="" type="checkbox"/>
d) Apply to vary an existing licensed premises gaming machine permit (if you choose this option then please complete sections B, D and E)	<input type="checkbox"/>
e) Apply to transfer an existing licensed premises gaming machine permit (if you choose this option then please complete sections C, D and E)	<input type="checkbox"/>

SECTION B – Application for grant (includes conversion, new and variation 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 provide? (please complete the boxes in the table)

Category machine	Number currently authorised to provide	Number wish to provide (new or variation)
C	4
D	32
Total	36

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*

(reasons why existing permit cannot be provided)

.....

.....

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

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 LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE
PREMISES)

Section C – Application for permit <u>transfer</u> (i.e. where a transfer has been requested for the Licensing Act 2003 premises licence)	
4. Name of person requesting the transfer	
5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:	
Requested	<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
HOLLYWOOD BOWL

8. Address of Premises
Unit No: WRP.0108, Leisure Box, Intu Watford, Charter Place, Watford, WD17 2UB

9. Telephone number of Premises TBA

10. Name of existing Premises Licence holder
THE ORIGINAL BOWLING COMPANY LIMITED

11. Address of Premises Licence holder (if different from 8 above)
FOCUS 31 WEST WING, CLEVELAND ROAD, HEMEL HEMPSTEAD, HERTFORDSHIRE, HP2 7BW

12. Telephone number (daytime) of Premises Licence holder

13. E-mail address of Premises Licence holder (where available)
.....
.....

14. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant
BOND DICKINSON LLP, 3 TEMPLE QUAY, TEMPLE BACK EAST, BRISTOL, BS1 6DZ
0117 989 6776
JOANNE.BROWN@BONDDICKINSON.COM

15. Licensing Act 2003 Premises Licence Reference (i.e. number)

**NOTIFICATION OF 2 OR LESS GAMING MACHINES or
GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:
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PREMISES)

Section E – Fee and Signature(s)

I enclose a sum of £ 150.00 x

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 13 June 2017

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

Bond Dickinson LLP

Print Name BOND DICKINSON LLP

* If you wish to have a maximum of 2 gaming machines then the fee payable is £X. If you wish to have more than 2 gaming machines then the fee payable is £x.

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):

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 councillors.
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 £x. 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:
 - Category C: Maximum stake = 50p / Maximum prize = £35
 - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
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.



Gaming Machine Code of Practice

TOBC operate its gaming machines under 'Alcohol Licensed Premises Permits'

Location & Operation

All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised either by staff whose duties include such supervision (including bar or floor staff) or by other means. All gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use an ATM to cease gambling at the gaming machine in order to do so.

TOBC operates two categories of gaming machines, Category 'C' and Category 'D'.

Cat 'C'

These are identified as 'over 18' AWP's (Amusement With Prizes) and can have jackpots of £70.

Category 'C' machines must be in a Bar or 'Cashtino' area and have a stake of up to £1.

Signage must include a 'no over 18' symbol, a Cat 'C' sticker and a Gamcare aware notice.

Price of play must be displayed and correct and the percentage payout must be visible.

Cat 'D'

These are identified as 10p coin action machines, cranes, and £5 AWP's with all machines having a £5 prize limit in any single win.

Category 'D' machines can be played by anyone and be located anywhere within the centre.

The maximum stake for a Cat 'D' AWP is 10p.

Signage must include a Cat 'D' sticker and a Gamcare aware notice.

Price of play must be displayed and the percentage payout must be visible.

Access to Gambling by Children & Young Persons

Steps to prevent underage gambling are to include:

- Checking the age of those thought to be under age.
- Refusing access to anyone who appears to be underage, and who tries to use category 'C' gaming machines and cannot produce an acceptable form of identification.

- Identification must contain a photograph from which the individual can be identified as well as valid, legible and not showing any signs of tampering or reproduction

Where children or young persons repeatedly attempt to gamble on Category 'C' machines the following steps must be taken:

- Verbally warn the offender, and make them aware of the services of Gamcare (contact details on all gambling machines).
- Inform the Police and issue a written statement informing the offender that the Police have been made aware of their actions (a copy to be presented to the police and a copy forwarded to TOBC Amusement Manager).

Self Exclusion

Whilst it isn't a condition of TOBC's permit, it is best practice to support the Gambling Commissions Self Exclusion program if asked to do so by a customer.

Individuals can request that you exclude them from your centre in order to assist them in refraining from playing gaming machines.

Before an individual self-excludes, the centre manager should provide them with sufficient information about the consequences of self-exclusion. Customers should be given the opportunity to discuss self-exclusion in private.

Self-exclusion requires the individual to take positive action in the form of a signed self exclusion form. Guidance and necessary literature is available from TOBC Amusement Manager.

I have read and understand my obligation and actions required as laid out above:

Signed

Print

Position

Premises	Gaming Machine Permit annual fee due	Cat C	Cat D
Ashford	22-Aug	Utd	Utd
Avonmeads	15-Aug	5	22
Basildon	27-Jan	5	36
Basingstoke		4	22
Bentley Bridge	05-Jul	4	22
Birmingham		3	14
Birmingham	05-Sep	5	35
Bolton	15-Aug	6	30
Bracknell	16-Aug	3	26
Bradford	11-Jan	4	26
Branksome		2	18
Brighton		3	34
Bristol		6	27
Bury	22-Aug	6	26
Cardiff	31-Aug	6	33
Carlisle	06-Dec	2	Utd
Cheltenham	23-Apr	4	28
Crawley	25-Aug	5	31
Cribbs Causeway	30-Apr	5	32
Cwmbran		6	31
Dunfermline		3	19
Eastleigh	22-Aug	6	24
Finchley	15-Aug	5	30
Glasgow Coatbridge	24-Feb	10	18
Glasgow Springfield Quay	22-Aug	10	22
Gravesend	22-Mar	mixed	32
GunWarf Quays		5	31
High Wycombe	22-Aug	33	33
Hull (HWB)	14-Mar	5	25
Leeds	14-Jan	10	23
Leicester	15-Feb	6	34
Liverpool	01-Sep	3	31
Maidstone	20-Dec	5	44
Manchester - Ashton U Lyne	12-Sep	5	35
Milton Keynes	21-Nov	3	18
Norwich	18-Aug	8	18
O2 Greenwich		0	22
Oxford		6	24
Peterborough	23-Mar	12	22
Rochester	21-Nov	5	44
Sheffield	15-Nov	8	22
Shrewsbury	23-Aug	10	9
Stevenage	15-Aug	6	30
Stirling	19-Oct	25	25
Stockton Teesside Leisure Park	15-Aug	4	34
Surrey Quays	18-Feb	3	33
Taunton	05-Sep	3	23
Tolworth	16-Aug	2	10
Torquay	06-Sep	mixed	20

Tower Park		4	28
Tunbridge Wells		7	22
Washington	25-Aug	3	27
Watford	15-Aug	5	33
Wellingborough	22-Aug	8	44
Wigan	02-Sep	15	30
Worthing	25-Aug mixed		38