



Gambling Act 2005

Runnymede Borough Council's Statement of Gambling Policy

31 January 2025 - 30 January 2028

All references to the guidance of the Gambling Commission to licensing authorities refer to the guidance published on 1 April 2021 (last updated 11 April 2023).

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1. Introduction

1.1 The Gambling Act 2005

1.1.1 General Statement of Principles

Runnymede Borough Council ('The Council') recognises the wide variety of premises which require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs and amusement arcades.

In carrying out its licensing functions the Council will have regard to any guidance issued by the Gambling Commission and the Gambling Commissions licence conditions and codes of practice.

The Council will not seek to use the Act to resolve matters more readily dealt with under other legislation.

To ensure the licensing objectives are met, the Council will establish a close working relationship with the police, the Gambling Commission and, where appropriate, other responsible authorities.

Where children and other vulnerable people are allowed access to premises where gambling takes place, the Council may take whatever steps are considered necessary to either limit access generally or by introducing measures to prevent under-age gambling.

The Council will not normally seek to limit the access of children to any premises unless it receives representations to that effect or it believes it is right to do so for the prevention of their physical, moral or psychological harm.

Applicants seeking premises licences are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

The overriding principle is that each application and the circumstances prevailing at each premise will be considered on their own individual merits.

1.1.2 The Functions of Licensing Authorities

The Gambling Act 2005 ('the Act') regulates almost all gambling that takes place in England and Wales with the exception of exempt gambling specified under the Act and the National Lottery which has its own legislation. Responsibility for administering and enforcing the legislation is split between the Gambling Commission and Licensing Authorities. Runnymede Borough Council ('the Council') is the licensing authority for the purposes of the Act.

The Act gives licensing authorities various regulatory functions in relation to gambling. The main functions of licensing authorities are:

- Licensing premises for gambling activities
- Considering notices given for the temporary use of premises for gambling
- Granting permits for gaming and gaming machines in clubs and miners' welfare institutes
- Regulating gaming and gaming machines in alcohol licensed premises
- Granting permits to family entertainment centres for the use of certain lower stake gaming machines
- Granting permits for prize gaming
- Considering occasional use notices for betting at tracks
- Registering small societies' lotteries

The Licensing Authority also has enforcement powers relating to these areas.

The Gambling Commission has responsibility for dealing with Personal Licences for personnel working in the industry and Operating Licences for commercial gambling operators.

1.1.3 The Licensing Objectives

There is an overriding aim on the part of the Licensing Authority to regulate gambling in the public interest, and in doing so it will act in accordance with the following.

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

- a) Preventing gambling from being a source of crime or 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.**

In relation to exercising our functions in connection with the licensing of premises for gambling purposes, section 153 of the Gambling Act requires the Licensing Authority to "aim to permit the use of premises for gambling" in so far as we think it is;

- a) in accordance with any relevant code of practice 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);
- d) in accordance with the statement published by the authority under section 349; subject to paragraphs (a) to (c).

In addition, section 153(2) makes it clear that demand for the facilities to be provided at gambling premises cannot be taken into account in determining any application.

The Act places a legal duty on both the Gambling Commission and licensing authorities to aim to permit gambling, in so far as it is considered to be reasonably consistent with the pursuit of the licensing objectives. The effect of this duty is that both the Commission and licensing authorities must approach their functions in a way that seeks to regulate gambling by using their powers, for example, powers to attach conditions to licences, to moderate its impact on the licensing objectives rather than by starting out to prevent it altogether.

1.2 Local Area Profile

Runnymede Borough is located in North West Surrey with a population of 89,400 (*Source: ONS population estimates from NOMIS July 2020*) and covers 7,807 hectares (30.14 square miles), of which 78.63% (6,139 hectares) is Green Belt (*Source: RBC Local Plan July 2020*). It has a population density of 11.45 persons per hectare and includes the settlements of:

- Addlestone
- Chertsey
- Egham
- Englefield Green
- Longcross
- Lyne
- New Haw
- Ottershaw
- Row Town
- Thorpe
- Virginia Water
- Woodham

Runnymede borders with five neighbouring local authorities and is in close proximity to London and Heathrow Airport. The M25 motorway runs through the borough from north to south and the M3 motorway from west to east. It boasts several high profile attractions such as Thorpe Park, Savill Garden, Wentworth Golf Club, the Magna Carta Memorial, the Air Forces Memorial, Virginia Water Lake, Runnymede Meadows, Runnymede Pleasure Ground and the River Thames for leisure and commercial use.

The Borough has three principal towns; these are Chertsey, Egham and Addlestone, with a number of smaller villages and suburban centres. There are 12 betting shops and one Family Entertainment Centre in Runnymede (at Thorpe Park). There are 38 licensed premises in the borough with gaming machines and there are 42 registered lotteries. There are no bingo premises, permanent racecourses/tracks, or casinos. The area is well served by premises licensed to sell alcohol with a total of 258 premises licenses and 34 club certificates in existence. Of these 67 are for off sales in premises such as off licences and small convenience stores.

The Borough's northern and eastern edges are formed by the rivers Thames and Wey, across which are the towns of Staines and Weybridge. In the northwest the Borough contains part of Windsor Great Park, to the west it reaches the edge of Chobham Common and to the south extends almost to Woking.

To assist licensees in making their Local Risk Assessment (LRA) the Council have completed a Local Area Profile (April 2023). This is not a requirement under the Act but it is beneficial in terms of allowing operators to have a better awareness of the local area risks. The Licensing Authority will work in partnership with operators, other local businesses, communities and responsible authorities to identify and to proactively mitigate local risks to the licensing objectives.

The Local Area Profile itself is a separate document from this policy, this enables timely changes to the profile to be made as and when changes occur, or additional information is made available;
<https://www.runnymede.gov.uk/runnymede-borough-council/runnymede-borough-profile>

A Map of Runnymede and the location of Gambling Premises are set out at **Annex 1**.

1.3 Consultation

This statement of policy has been prepared in consultation with the following persons /bodies:

- (i) The Borough Commander of Surrey Police for Runnymede;

- (ii) All premises licensed under the Gambling Act 2005, or persons who represent the interests of persons carrying on gambling businesses in Runnymede;
- (iii) Applicable alcohol licensed premises under the Licensing Act 2003 in Runnymede;
- (iv) Organisations or persons who represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act, including;
 - Organisations working with local people who are affected by gambling related harms;
 - Advocacy organisations, such as the CAB;
 - Homelessness and housing services/associations;
 - Local public and mental health teams;
 - Runnymede Councillors, Community Safety Team and Planning Department;
- (v) Surrey County Council (Safeguarding/Children's Service and Trading Standards Teams);

A full list of consultees for the original policy is set out at **Annex 2**.

The statement of policy will remain in force for no more than 3 years but may be reviewed at any time.

1.4 Declaration

This statement of policy has been prepared with due regard to the licensing objectives, guidance to licensing authorities issued by the Gambling Commission, and with due weight attached to any responses received from those consulted.

1.5 Responsible Authorities

These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to the licensing objectives.

Section 157 of the Act defines those authorities as:-

- The Gambling Commission
- The Police
- The Fire Service
- The local planning authority
- Environmental Health
- Child Protection Committee (see Section 1.5.1)
- HM Revenue and Customs
- A licensing authority in whose area the premises is situated

Any concerns expressed by a responsible authority in relation to their own

functions cannot be taken into account unless they are relevant to the application itself and the licensing objectives. In this regard the Council will not generally take into account representations which are deemed to be irrelevant, for example:

- there are too many gambling premises in the locality
 - the premises are likely to be a fire risk
 - the location of the premises is likely to lead to traffic congestion
 - the premises will cause crowds to congregate in one area causing noise and nuisance
- Each representation will, however, be considered on its own individual merits.

The contact details of all the Responsible Authorities under the Act are set out at **Annex 3**.

1.5.1 Protection of Children

In exercising the Council's 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 following principles have been applied:

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

Having regard to the above principles, the Council designates the Surrey County Council's Children's Service for this purpose.

1.6 Interested Parties

Interested parties can make representations about applications for a Premises Licence, or apply for a review of an existing licence. The Act defines interested parties as persons who, in the opinion of the licensing authority;

- a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) have business interests that might be affected by the authorised activities; or
- c) represent persons who satisfy paragraph (a) or (b).

Whether or not a person is an interested party is a decision that will be taken by the Council on a case-by-case basis. However, the following factors will be taken into account:

- the size of the premises;
- the nature of the premises;
- the distance of the premises from the location of the person making the

representation

- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment);
- the nature of the complainant. This is not the personal characteristics of the complainant but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that “sufficiently close to be likely to be affected” could have a different meaning for (a) a private resident; (b) a residential school for children with truanting problems; and (c) residential hostel for vulnerable adults;
- the ‘catchment’ area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area, that might be affected.

This list is not an exhaustive list and other factors may be taken into consideration in individual cases.

The Council considers the following bodies/associations to fall within the category of those who may represent persons living close to premises, or having business interests that might be affected by the authorised activities:

- trade associations;
- trade unions;
- residents and tenants associations;
- ward/county/parish councillors; and
- Member of Parliament whose constituency includes an interested party.

This list is not exhaustive and the Council may consider other bodies/associations and persons to fall within the category in the circumstances of an individual case. The Council may require written evidence that the person/association/body represents an interested party.

1.7 Exchange of Information

The Council regards the lawful and correct treatment of information as very important to the successful and efficient performance of the Council’s functions, and to maintaining confidence between the people/bodies we deal with and ourselves. We ensure that our organisation treats information lawfully and correctly. Information provided to the Council in connection with the Gambling Act may not be held confidentially if, in order to fulfil its functions, the Council is under a duty to share it with, for example:

- the Gambling Commission
- other public bodies, or
- legitimate consultees

In handling information it receives, consideration will be given to guidance issued by the Gambling Commission and to the Council’s duties in relation to

the UK General Data Protection Regulation and the Freedom of Information Act.

Any person wishing to obtain further information about their rights under the UK General Data Protection Regulation or the Freedom of Information Act 2000 may view the Council's policies at:

<https://www.runnymede.gov.uk/information-data>

1.8 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 to licensing 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.

In accordance with the Gambling Commission's Guidance to licensing authorities, this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible and will consider a multi-agency coordinated enforcement approach with partner agencies, as appropriate.

This licensing authority has adopted and implemented 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 (Compliance and enforcement matters)
- The principles set out in this Statement of Gambling 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 dealt with by the licensing authority but should be notified to the Gambling Commission.

This licensing authority shall have regard to the statutory principles of good regulation under the Legislative and Regulatory Reform Act 2006, and the Regulators Code as outlined by the Office of Product Safety and Standards (Department for Business and Trade).

1.9 Reviews of Premises Licences

Requests for a review of a premises licence can be made by interested parties or responsible authorities (it should be noted that there is no mechanism to review any permit or notice). However, it is for the Licensing Authority to decide, based on the evidence provided in each case, whether such a request will result in a review. Such a decision will be taken by considering, amongst other matters, the following:

- any relevant code of practice or guidance issued by the Gambling Commission;
- the licensing objectives;
- the Licensing Authority's Statement of Policy;
- whether the request is considered frivolous, vexatious, or whether the evidence provided will not cause the authority to wish to alter or revoke or suspend the licence; and
- whether the request is substantially the same as previous representations or requests for a review.

The Licensing Authority, of its own volition, may also initiate a review of a premises licence.

Following a review, the actions open to the Licensing Authority are:

- add, remove or amend a licence condition imposed by the Licensing Authority;
- exclude a default condition imposed by the Secretary of State [or Scottish Ministers] or remove or amend such an exclusion;
- suspend the licence for any period not exceeding three months; or
- revoke the licence.

In considering what action, if any, should be taken following a review the Licensing Authority must have regard to the principles set out under section 153 of the Act as well as any relevant representations.

2. Premises Licences

2.1 Decision making - general

In accordance with Section 153 of the Act, the Council shall aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- consistent with the licensing objectives; and
- in accordance with the authority's Statement of licensing policy

A Premises Licence application cannot be determined until an Operating Licence (which allows them to carry out the proposed activity) has been issued by the Gambling Commission.

The Council will not have regard to the expected demand for the facilities which it is proposed to provide, nor the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.

Moral objections to gambling will not be considered by the Council, as they are not valid reasons for rejecting a Premises Licence application.

Each case will be considered on its individual merits. However, in order to assist applicants and objectors alike, this section sets out the general factors that will be taken into account by the Council when considering applications for Premises Licences.

This licensing authority also notes Gambling Commission guidance for a Premises Licence on 'Appropriate Licensing Environment', contained in paragraphs 18.28 to 18.32. For example, where a premises is licensed to provide bingo facilities then the primary activity must be the provision of bingo, with gaming machines being an ancillary offering in the premises.

It is not permissible for an operator to offer gaming machines on a premises which is licensed for non-remote betting but not to offer sufficient facilities for non-remote betting. A non-remote betting operating licence authorises its holder to 'provide facilities for betting' (s.65(2)(c) of the Act). Likewise, a betting premises licence authorises premises to be used for 'the provision of facilities for betting...' (s.150(1)(e) of the Act). The ability to make up to four gaming machines, within categories B, C or D, available is an additional authorisation conferred upon the holder of a betting premises licence (s.172(8) of the Act); it is not a freestanding right to make gaming machines available for use. It follows that unless a betting premises operator offers sufficient facilities for betting it should not be making gaming machines available on the premises in question.

This authority notes the Commission's view that it is also important, in relation to the licensing objective of protecting vulnerable persons from being harmed

or exploited by gambling, that customers should be offered a balanced mix of betting and gaming machines in licensed betting premises.

Accordingly, an operating licence condition provides that gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. In this respect, such facilities must include information that enables customers to access details of events on which bets can be made, make such bets, learn of the outcome and collect any winnings.

2.2 Premises “ready for gambling” - consideration of planning permission and building regulations.

The Gambling Commissions Guidance to Licensing Authorities (published 1 April 2021) states that in determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, 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. Equally, licences should only be issued where they are expected to be used for the gambling activity named on the licence. This is why the Act allows a potential operator to apply for a provisional statement if construction of the premises is not yet complete, or they need alteration, or they do not yet have a right to occupy them. Part 11 of the Guidance gives more information about provisional statements.

2.3 Local Risk Assessments (LRA)

The location of premises may be relevant to the promotion of the licensing objectives. In particular, premises located in close proximity to the following may give rise to concern:

- schools, nurseries or childcare facilities;
- centres for the care of vulnerable adults or children, including facilities for the disabled;
- residential areas with a high concentration of children or older persons.

The Gambling Commission has introduced provisions in its social responsibility code within the Licence Conditions and Codes of Practice (LCCP), which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. The provisions in the social responsibility code within the LCCP encourages local authorities, the Commission and the industry to work in partnership to address

local issues and concerns.

Licensees must review (and update as necessary) their local risk assessments:

- to take account of significant changes in local circumstances, including those identified in a licensing authority's Statement of licensing policy;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- when applying for a variation of a premises licence; and in any case, undertake a local risk assessment when applying for a new premises licence.

Licensees are expected to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

It is expected that licensees will refer to the Licensing Authority's Local Area Profile when compiling their risk assessments.

Under the code of practice, licensees should share risk assessments with the Council when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request of the Licensing Authority.

2.4 Premises licenses/Multiple Licences/Layout of Buildings

Premises are defined in the Act as including 'any place', but no more than one Premises Licence can apply in relation to any one place. A single building can be subject to more than one Premises Licence, provided they are for different parts of the building and those parts can reasonably be regarded as being 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 or exploited 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 named on the premises licence.*

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

- Is a separate registration for business rates in place for the premises?
- 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:

Casinos

- The principal entrance to the premises must be from a 'street' (as defined at 7.21 of the Guidance).
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons.
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.

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 paragraph 7.23 Guidance to Licensing Authorities) or from other 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 unless that shop itself is a licensed betting premises.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre.

Bingo Premises

- No customer should be able to access the premises 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 process.

In accordance with the Gambling Commission guidance, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

2.5 Provisional Statements

Developers may wish to apply for a provisional statement before entering into a contract to buy or lease premises or land so that they can judge whether the development is worthwhile. There is no requirement for an applicant to hold an operating licence before applying for a provisional statement.

Section 204 of the Act provides that an applicant for a provisional statement must:

- expect the premises to be constructed; or
- expects it to be altered; or
- expects to acquire a right to occupy the premises.

2.6 Conditions

Conditions may be imposed upon a Premises Licence in a number of ways. These are;

- (a) **Mandatory** – set by the Secretary of State (some set out on the face of the Act) and some to be prescribed in regulations, for all, or classes of licence;
- (b) **Default** – to be prescribed in regulations made by the Secretary of

State, to be attached to all or classes of licences unless excluded by the licensing authority;

- (c) **Specific** – conditions that can be attached to an individual licence by the licensing authority.

Conditions imposed by the Council will be proportionate to the circumstances that they are seeking to address. In particular, this Council will ensure that Premises Licence conditions:

- Are relevant to the need to make the proposed building suitable as a gambling facility;
- Are directly related to the premises and the type of licence applied for;
- Are fairly and reasonably related to the scale and type of premises; and
- Are reasonable in all other respects.

The Council believes that mandatory and default conditions are under normal circumstances perfectly sufficient to ensure that operations are carried out in accordance with the licensing objectives. Additional conditions will be considered where there is clear evidence of a risk to the licensing objectives in the circumstances of a particular case that requires that the mandatory and default conditions be supplemented.

The Council will not apply conditions upon a Premises Licence in relation to the following matters:

- 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 is 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.

2.7 Door Supervisors

It is not a mandatory requirement of the Act to impose a condition relating to door supervision.

However, if the Council do consider it necessary to impose a condition on a Premises Licence requiring the presence of door supervisors, such persons will be required to hold the appropriate licence from the Security Industry Authority (SIA).

This requirement does not apply to door supervisors at licensed casino or bingo premises, who are exempt from the licensing requirements of the Private

Security Industry Act 2001.

The Council may however impose specific requirements on door supervisors at such premises if considered appropriate in an individual case.

The Council will only impose a condition requiring door supervisors where such a condition is considered necessary and proportionate to be compatible with the licensing objectives

2.8 Adult Gaming Centres

This type of premises provides higher pay-out gaming machines. Persons operating an adult gaming centre must obtain an operating licence from the Commission and a Premises Licence from the Council. This will allow the operator to make category B (B3 and B4), C & D machines available to their customers. Only 20% of gaming machines can be category B. In order to calculate the category B machine entitlement in gambling premises, gaming machines should only be counted in this quota if they are “available for use” (if a person can take steps to play it without the assistance of the operator and can be played simultaneously by different players without physical hindrance). No one under the age of 18 is permitted to enter an adult gaming centre.

“Gaming machines” means “a machine which is designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes).”

In considering licence applications for adult gaming centres, weight will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will therefore expect applicants to demonstrate that there will be sufficient measures in place to promote this objective.

Applicants are encouraged to consider the following steps:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Location of and entry to premises (so as to minimise the opportunities for children to gain access);
- Notices / signage;
- Training for staff on challenging persons suspected of being under-age;
- Specific opening hours;
- Self-barring 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.

2.9 Licensed Family Entertainment Centres

Operators of licensed family entertainment centres will require an operating licence from the Gambling Commission and a Premises Licence from the Council. This will allow the operator to make category C & D machines available to their customers.

Children and young persons will be able to enter licensed family entertainment centres and play on the category D machines. They will not be permitted to play on category C machines.

As family entertainment centres will particularly appeal to children and young persons, weight shall be given to child protection issues. Where category C machines are available in licensed family entertainment centres the Council will normally require 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 aged under 18.

Applicants are therefore encouraged to consider the steps set out at paragraph 2.8 of this statement in order to prevent the access of children and young persons from gaining access to category C machines. In addition, applicants are encouraged to consider measures / training for staff on how to deal with suspected truant school children on the premises.

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

2.10 Travelling Fairs

It will fall to the Council 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 Council 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.

2.11 Casinos

No Casinos resolution - The Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Council decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.

2.12 Betting Premises

This section deals with off-course betting - that is betting that takes place other than at a track (commonly known as a licensed betting office). Operators of betting premises will require an operating licence from the Gambling Commission and a Premises Licence from the Council.

The holder of a betting Premises Licence may make available for use up to 4 gaming machines of category B (B2, B3 or B4), C or D.

The Council may, in accordance with section 181 of the Act, restrict the number of self-service betting terminals, their nature, and the circumstances in which those terminals are made available for use. When considering whether to impose such a condition, the Council will take into account the following:

- 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 terminals by children and young persons (it is an offence for those under 18 to bet), or by vulnerable people.

The Council will therefore expect applicants to have fully considered these issues in their application and may ask for alterations to plans where it is not satisfied that adequate supervision of the terminals can be ensured.

The Council will only restrict the number of terminals, where there is evidence that to do so would render an application, that is otherwise inconsistent with the licensing objectives, reasonably consistent with the licensing objectives.

2.13 Bingo

Operators of premises offering bingo (cash or prize) will require a bingo operating licence from the Gambling Commission and a Premises Licence from the Council.

The holder of a bingo Premises Licence may, in addition to bingo in all its forms, make available for use a number of category B (sub-category B3, excluding B3A, and B4) gaming machines not exceeding 20% of the total number of gaming machines on the premises. There are no restrictions on the number of category C or D machines that can be made available.

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, the Council will normally require 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 aged under 18.

2.14 Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no Premises Licence but where a person or company holding a relevant operator's licence wishes to use the premises temporarily for providing facilities for gambling.

Premises that might be suitable for Temporary Use Notices 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.

If objections are received to a temporary use notice (from the Police, Gambling Commission, HM Revenues & Customs or any other licensing authority in whose area the premises are situated, the Council will hold a hearing to consider the representation (unless all the participants agree that a hearing is unnecessary).

If the Council, after a hearing has taken place or been dispensed with, considers that the temporary use notice should not have effect, it will issue a counter-notice which may:

- prevent the temporary use notice from taking effect;
- limit the activities that are permitted;
- limit the time period of the gambling; or
- allow the activities to take place subject to a specified condition

The Council will apply the principles set out in paragraph 2.1 of this Statement of Policy to any consideration as to whether to issue a counter-notice.

3. Permits

3.1 Unlicensed Family Entertainment Centres - gaming machine permits

Paragraph 3.1 constitutes a Statement of Principles in accordance with paragraph 7 of Schedule 10 of the Act. Unlicensed family entertainment centres (UFECs) require a permit from the local licensing authority. Permits have effect for 10 years unless they are surrendered or lapse or are renewed. Unlicensed family entertainment centres will be able to offer category D machines if granted a permit by the Council. If an operator of a family entertainment centre wishes to make category C machines available in addition to category D machines, they will need to apply for a gaming machine general operating licence (thereby becoming a licensed family entertainment centre) from the Gambling Commission and a Premises Licence from the Council.

The Council can grant or refuse an application for a permit but cannot attach conditions.

As unlicensed family entertainment centres will particularly appeal to children and young persons, weight shall be given to child protection issues.

The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits.

The policies and procedures are expected to include:

- What staff should do if they suspect that truant children are on the premises;
- How staff should deal with unsupervised young children on the premises;
- How staff should deal with children causing perceived problems on or around the premises.

The Council will also expect applicants to demonstrate

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- That the applicant has no relevant convictions (those that are set out in Schedule 7 to the Act);
- That employees are trained to have a full understanding of the maximum stakes and prizes.

3.2 Alcohol Licensed Premises - Gaming Machine Permits

Premises licensed to sell alcohol for consumption on the premises, can automatically have 2 gaming machines, of categories C and/or D. The holder of a Premises Licence under the Licensing Act 2003, authorising the sale of alcohol, will simply need to notify the Council, and pay the prescribed fee.

The Council may 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 Act (e.g. 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; or
- an offence under the Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then the holder of the Premises Licence will need to apply for a permit. The Council will consider that application having regard to the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Act, and any other matters that are considered relevant.

The Council will determine what constitutes a relevant consideration on a case-by-case basis, but weight shall be given to the third licensing objective (i.e. protecting children and vulnerable persons from being harmed or being exploited by gambling). To this end, the Council will expect applicants to demonstrate;

- that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines.
 - Measures 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 will also need to be considered.

With respect to the protection of vulnerable persons, the Council will

expect applicants to provide 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.

The Council may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. The Council will not attach any other conditions in granting such an application.

The holder of such a permit will be required to comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

3.3 Prize Gaming Permits

Applicants for prize gaming permits should set out the types of gaming that they intend to offer. The applicant will be required 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 type of permit the Council does not need to have regard to the licensing objectives but will have regard to any Gambling Commission guidance. Weight will be given to child protection issues, and relevant considerations are likely to include the suitability of the applicant (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises. Applicants for prize gaming permits must disclose any previous relevant convictions to the Council.

The Council may grant or refuse an application for a permit, but will not attach any conditions. However, there are 4 conditions in the Act that permit holders must comply with.

These 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.

3.4 Club Gaming and Club Machine Permits

Members' clubs (but not commercial clubs) may apply for a club gaming permit. The club gaming permit will enable the premises to provide gaming machines (no more than 3 machines of categories B3A (one only), B4, C or D), equal chance gaming and games of chance.

If a club does not wish to have the full range of facilities permitted by a club gaming permit or if they are a commercial club not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act), they may apply for a club machine permit, which will enable the premises to provide gaming machines (up to 3 machines of categories B3A, B4, C or D).

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 Council may conduct a visit to the premises in advance of granting a permit.

The Council will only refuse such an application on one or more of the following grounds;

- the applicant does not fulfil the requirements for a members' or commercial club and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a condition of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or;
- an objection has been lodged by the Gambling Commission or the Police.

The Council will have regard to the guidance issued by the Gambling Commission and (subject to that guidance), the licensing objectives.

There is a 'fast-track' procedure available for clubs which hold a Club Premises

Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which an authority can refuse a permit licence are reduced.

The grounds on which an application under the fast-track procedure may be refused are;

- that the club is established primarily for gaming, other than gaming prescribed by regulations under s.266 of the Act;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

The Council may grant or refuse an application for a club gaming or club machine permit, but will not attach any conditions. However, there are a number of conditions in the Act that the holder must comply with.

3.5 Cancellation of Permits

3.5.1 Gaming / Machine Permits

The authority is able to cancel a permit. It may 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, an authority must notify the holder giving them 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.

3.5.2 Club Gaming / Club Machine Permits

Decisions relating to the cancellation of a Club Gaming or Club Machine Permit may not be made by an officer of the authority. Such decisions shall be dealt with by the Regulatory Committee.

3.5.3 Alcohol Licensed Premises Permits

In the event of representations being received against a notice of cancellation, the matter will be determined by a Regulatory Committee. Where no representations have been received, or if they have been received but have been subsequently withdrawn, the final decision may remain with an Officer of the Council.

4. Small Local Society Lotteries

4.1 Small Society Lottery Registrations

A Small Society Lottery is a lottery that is promoted on behalf of a non-commercial society (such as a charity or similar non-profit making organisation) to raise funds for any of the purposes for which the society or organisation is set up.

Small Society Lotteries do not require a licence but must be registered with the licensing authority in the area where the society's principle premises is situated. An application to register a Small Society Lottery should be on the relevant application form, available from the website given below, and accompanied by any necessary documents and the appropriate fee. The maximum prize per ticket in either money or monies worth is £25,000. The Licensing Authority will record details of the society on a register and make this available to the public on request.

In determining whether to grant or renew a small society lottery registration, the Licensing Authority will have regard to the Guidance to Local Authorities issued by the Commission.

Societies may wish to refer to the relevant section of the Licensing Authority's website for full details on how to register and maintain small society lottery registrations. It also details the steps that promoters have to take to comply with the legislation;

<https://www.runnymede.gov.uk/business-licenses/gambling/3>

5. Exempt Gambling

The Licensing Authority has no control over Gambling in these circumstances, provided the specific requirements are complied with and any limits on stakes and prizes are observed.

5.1 Non-commercial gaming

There are two types of non-commercial gaming allowed: non-commercial prize gaming and non-commercial equal chance gaming. Neither of these require any authorisation provided the maximum stakes and prizes are not exceeded. In each case the gaming can be incidental to another activity, or the activity itself. It must be non-commercial which means there must be no private profit or gain. However, the proceeds of such events may benefit an organisation, group or one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes;
- to enable participation in, or support of, sporting, athletic or cultural activities.

5.2 Non-commercial prize gaming

In this case, the prize should be determined in advance and not be dependent on the number of players or monies staked. The players should be told what the monies are being raised for, and it cannot take place in premises that have a Gambling Act premises licence (except a track).

This can include casino nights and race nights.

5.3 Non-commercial equal chance gaming

In this case, the stakes per player cannot exceed £8. In addition, the aggregate value of prizes in all games played at a single event cannot exceed £600 (but if the event is the final one of a series in which all of the players have previously taken part, a higher prize fund of up to £900 is allowed). The players should be told what the monies are being raised for, and it cannot take place in premises that have a Gambling Act premises licence (except a track).

This can include casino nights and race nights.

5.4 Private Gaming

This covers situations where the public are not admitted to the gaming. This includes residential and domestic premises and workplaces.

This can include casino nights and race nights.

5.4.1 Domestic gaming

Non-equal chance gaming can be played in private dwellings on domestic occasions provided no participation charge is made.

5.4.2 Residential gaming

Non-equal chance gaming can be played in hostels or halls of residence provided at least 50% of the participants are residents.

5.5 Private betting

This is betting in domestic premises or workplaces. In domestic premises the participants must habitually reside there, and for workers betting the participants must be employed by the same employer

5.6 Incidental non-commercial lottery

These can take place as an incidental activity at another non-commercial event (e.g. a raffle at a dinner or a tombola at a garden party). No registration or permission is required provided the following requirements are met;

- Tickets can only be sold on the premises where the event takes place to people present and while the event is taking place;
- If the draw does not take place during the event, the organisers should make it clear when the results of the lottery will be decided/announced;
- No rollovers are allowed;
- The maximum deduction allowed for prizes from the proceeds is £500; and
- The maximum deduction allowed for organising costs from the proceeds is £100

5.7 Exempt gambling in pubs

Various types of ancillary gambling can take place in premises that are licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises and which have a bar at which alcohol is served to customers, but this does not apply where the sale of alcohol can only take place as being ancillary to the sale of food.

5.8 Equal chance gaming in pubs

Equal chance gaming up to specified limits on stakes and prizes can take place, and this includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

The following requirements have to be met:

- The maximum stakes and prizes for each type of game must not be exceeded (£5 maximum stake for any game of chance except poker, dominoes and cribbage). For poker there is a daily maximum of £100 in aggregate stakes which cannot be exceeded and the maximum prize limit is £100. There are no limits on stakes and prizes for dominoes or cribbage);
- The gaming must be supervised by a nominated gaming supervisor, with procedures to prevent underage gaming and comply with Gambling Commission codes of practice;
- No participation fees can be charged and no levy taken from stakes or prizes;
- The games cannot be linked to any other games in other premises; and
- Nobody under 18 years old can take part.

5.9 Bingo in pubs

Low-turnover bingo where the aggregate of stakes and prizes in a seven-day period does not exceed £2,000 can take place.

5.10 Exempt gambling in Clubs

There are two types of club for the purposes of the Act: members' clubs (including miners' welfare institutes) and commercial clubs. Generally speaking the club must be established for purposes other than gaming, but there is an exception for bridge or whist clubs. The exempt gaming that can take place differs according to the type of club. If a club has a club gaming permit, additional games and higher stakes and participation fees apply (see paragraph 3.4 above)

5.11 Equal chance gaming in clubs

Equal chance gaming with no specified limits on stakes and prizes (except for poker) can take place. The following requirements have to be met:

- Only club members (who have been members for at least 48 hours) or a bona fide guest of a member can participate;
- Except for poker, there is no maximum stake or prize;
- For poker there is a £10 maximum stake, a daily maximum of £250 in aggregate stakes and a seven-day maximum of £1,000 in aggregate stakes cannot be exceeded, and the maximum prize limit is £250;
- The gaming must be supervised by a nominated gaming supervisor, with procedures to prevent underage gaming and comply with Gambling Commission codes of practice;
- A maximum participation fee of £1 can be charged but no levy taken from stakes or prizes (however if the games are bridge or whist, on a day when no other gaming is permitted, participation fees of up to £18 per person can be charged);
- The games cannot be linked to any other games in other premises; and
- Nobody under 18 years old can take part.

5.12 Bingo in clubs

Low-turnover bingo where the aggregate of stakes and prizes in a seven-day period does not exceed £2,000 can take place in all types of club.

5.13 Bridge and Whist clubs

Unlimited stakes bridge or whist can be played. In addition, participation fees (up to £18 per person per day) can be charged.

ANNEX 1
MAPS OF RUNNYMEDE

BOROUGH OF RUNNYMEDE



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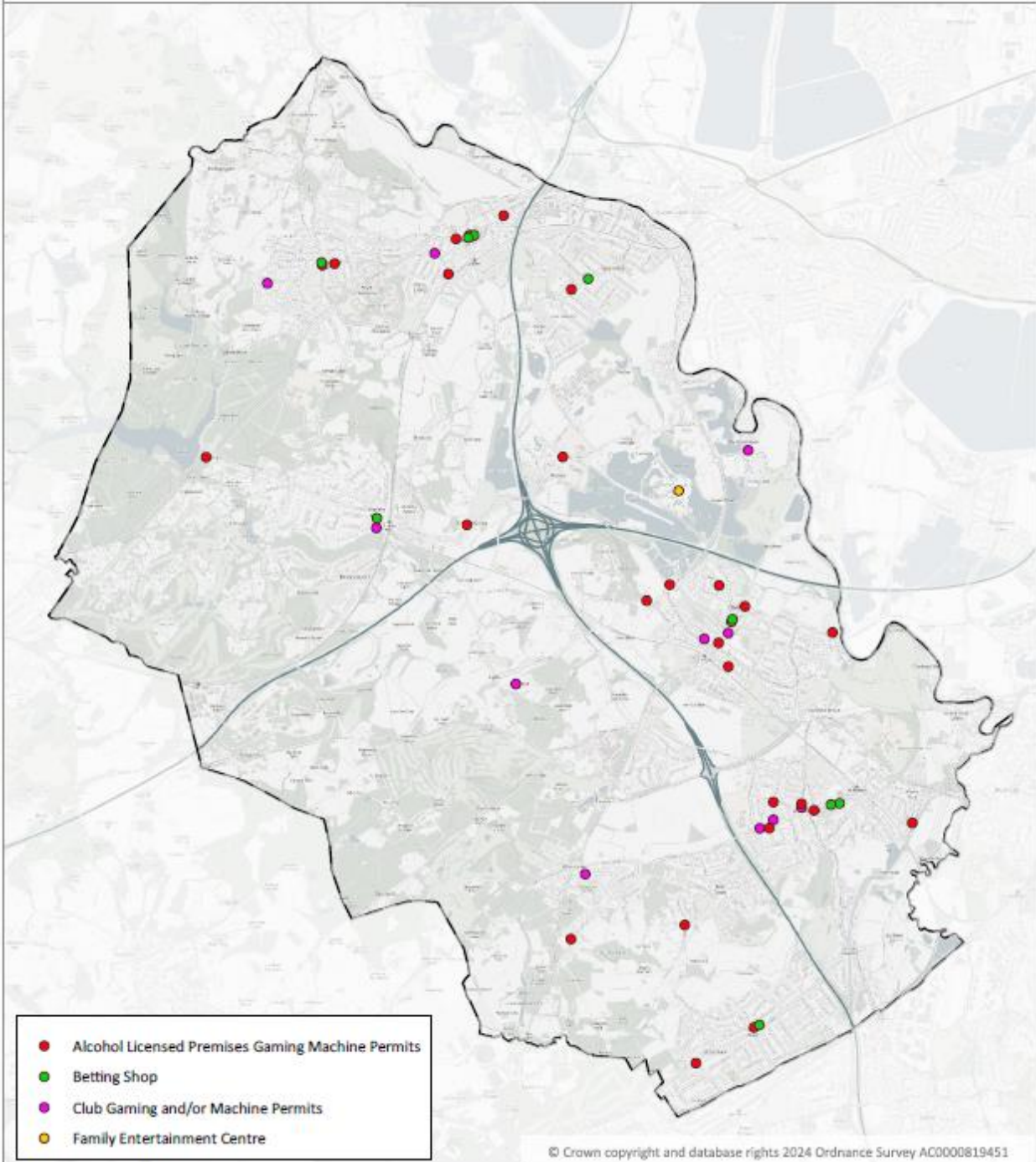


LOCATION OF GAMBLING PREMISES



Runnymede Borough Council
Runnymede Civic Centre
Station Road
Addlestone
Surrey KT15 2AH

Date: 08/10/2024



ANNEX 2

LIST OF CONSULTEES (original policy)

Persons or bodies representing the interests of those carrying on a gambling business in the borough:	Persons or bodies representing the interests of those who are likely to be affected by the exercise of the authority's functions:
<p>Association of British Bookmakers mail@abb.uk.com</p> <p>Association of Licensed Multiple Retailers info@almr.org.uk</p> <p>British Amusement Catering Trade Association info@bacta.org.uk</p> <p>British Beer & Pub Association contact@beerandpub.com</p> <p>British Institute of Innkeeping BII and BIIAB, Wessex House, 80 Park Street, Camberley, Surrey, GU153PT</p> <p>British Horseracing Authority info@britishhorseracing.com</p> <p>Federation of Licensed Victuallers admin@flva.co.uk</p> <p>Ladbrookes Betting and Gaming Ltd richard.royal@ladbrokes.co.uk</p> <p>Remote Gambling Association chawkswood@rga.eu.com</p> <p>William Hill Plc jnorris@williamhill.co.uk</p> <p>Gala Coral Group New Castle House, Castle Boulevard, Nottingham, NG7 1FT</p> <p>The Bingo Association info@bingo-association.co.uk</p>	<p>All Elected (Ward) Councillors, Runnymede Borough Council</p> <p>All "Responsible Authorities" as defined under the Gambling Act, see Annex 3.</p> <p>All relevant departments within Runnymede Borough Council</p> <p>Citizens Advice Bureau The Old Library, Church Rd, Addlestone KT15 1RW</p> <p>The Lotteries Council mailto:frank@lotteriescouncil.org.uk</p> <p>Society for the Study of Gambling ssgtreasurer@aol.com</p> <p>Gamblers Anonymous sr.pro@gamblersanonymous.org.uk</p> <p>Gamcare info@gamcare.org.uk</p> <p>The Samaritans admin@samaritans.org</p> <p>Responsibility in Gambling Trust support@gamblingtherapy.org</p> <p>Catalyst Alcohol & Drug Advisory Service info@catalystsupport.org.uk</p> <p>Surrey Chamber of Commerce louise.punter@surrey-chambers.co.uk</p> <p>Surrey Trading Standards business.advice@surreycc.gov.uk</p>

Working Men's Club & Institute Union
<mailto:info@wmciu.org>

**Current holders of licenses, permits
etc. in Runnymede:**

- Representatives of Premises Licence holders with section 34 gaming permits (including Breweries that hold Premises Licences for premises that sell alcohol)
- Representatives of Qualifying Clubs with Club Premises Certificates

Note: This list is not intended to be exhaustive.
Comments and observations were welcomed from anyone affected by this policy. Should you have any comments in respect of this policy statement please send them via email or by post to the following contact:

Kelly Dutfield
Senior Licensing Officer
Runnymede Borough
Council,
Civic Centre,
Station Road,
Addlestone
Tel: 01932 425711
email:
licensing@runnymede.gov.uk

ANNEX 3

SCHEDULE OF RESPONSIBLE AUTHORITIES

For the purposes of the Act, Responsible Authorities are public bodies that must be notified of all applications and who are entitled to make a representation in relation to a Premises licence;

Runnymede Licensing Authority

Runnymede Borough Council,
Runnymede Civic Centre, Station Road, Addlestone, Surrey, KT15 2AH

The Gambling Commission

Victoria Square House Victoria Square Birmingham, B2 4BP

Runnymede Borough Commander

Surrey Police
Runnymede Civic Centre, Station Road, Addlestone, Surrey, KT15 2AH

Surrey Fire & Rescue Service

Business Fire Safety Team
Croydon Road Reigate, Surrey
RH2 0EJ

Corporate Head of Planning

Planning Department Runnymede Borough Council, Runnymede Civic Centre,
Station Road, Addlestone, Surrey, KT15 2AH

Environmental Health Manager

Environmental Health Department Runnymede Borough Council,
Runnymede Civic Centre, Station Road, Addlestone, Surrey, KT15 2AH

Surrey County Council – Child Protection Authority

SSCP Team
Quadrant Court, 35 Guildford Road
Woking, Surrey, GU22 7QQ

HM Revenue & Customs

Excise Processing Team
BX9 1GL
United Kingdom

Authorities for Vessels (Navigation Authorities);

- The Environment Agency
- The British Waterways Board
- The Secretary of State

ANNEX 4 – COUNCIL'S SCHEME OF DELEGATION FOR ITS FUNCTION UNDER THE GAMBLING ACT 2005

Matter to be dealt with	Full Council	Regulatory Committee	Officers
Three year licensing policy	x	x	
Policy not to permit casinos	x	x	
Fee Setting – when appropriate	x (after recommendation from Regulatory Committee)		
Application for premises licences		x Where representations have been received and not withdrawn	x Where no representations received/representation have been withdrawn
Application for variation to a licence		x Where representations have been received and not withdrawn	x Where no representations received/representation have been withdrawn
Application for a transfer of a licence		x Where representations have been received from the Commission	x Where no representations received from the Commission
Application for a provisional statement		x Where representations have been received and not withdrawn	x Where no representations received from the Commission
Review of a premises licence		x	
Application for club gaming/club machine permits		x Where representations have been received and not withdrawn	x Where no representations received from the Commission
Cancellation of club gaming/club machine permits		x	
Applications for other permits			x

Cancellation of licensed premises gaming machine permits		x Where permit holder requests a hearing	x Where permit holder does not choose to have representations considered
Consideration of temporary use notice		x Where representations are received	X Where no representations are received
Decisions to give a counter notice to a temporary use notice		x	

ANNEX 5 – SUMMARY OF GAMING MACHINE CATEGORIES AND ENTITLEMENTS

Category of machine	Maximum stake (from April 2019)	Maximum prize (from Jan 2014)
A	Unlimited – No category A gaming machines are currently permitted	Unlimited – No category A gaming machines are currently permitted
B1	£5	£10,000 [†]
B2	£2	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize	30p	£8
D – non-money prize (crane grab machines only)	£1	£50
D – money prize	10p	£5
D – combined money and non-money prize	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 machines only)	20p	£20 (of which no more than £10 may be a money prize)

[†] With option of max £20,000 linked progressive jackpot on premises basis only

ANNEX 6 – GLOSSARY OF TERMS

Adult Gaming Centre (AGC): - a premises in respect of which an AGC premises licence has effect. An AGC premises licence is a licence that authorises a premise to be used for making Category B gaming machines available for use. Such a premises can comprise a limited number of B3 and B4 machines and an unlimited number of category C and D machines. No one under the age of 18 is allowed to enter

Authorised Local Authority Officer: - a Licensing Authority Officer who is an authorised person for a purpose relating to premises in that authority's area.

Automatic Conditions: - conditions attached automatically to premises licences or authorisations. The Licensing Authority has no discretion not to include or modify them.

AWP machines: - Amusement with Prize Machines

Betting: - the making or accepting a bet on (a) the outcome of a race, competition or other event or process, (b) the likelihood of anything occurring or not occurring, or (c) whether anything is or is not true.

Betting (non-remote): - betting which is carried out on course or off course (for example, in a betting shop).

Betting (non-remote): Gaming machines - Gaming machines sited within a gambling premises licensed for betting.

Betting Intermediary: - or betting exchange, providing a platform or service designed to facilitate the making or acceptance of bets between others.

Bingo: -any version of the game, commonly a game of chance in which players match randomly drawn numbers against a printed or electronically-generated card of numbers.

Casino: - an arrangement whereby people are given an opportunity to participate in one or more casino games.

Casino Games: - games of chance that are not equal chance gaming.

Casino Premises Licence Categories: - regional, large, small, casinos permitted under transitional arrangements.

Child: - an individual who is less than 16 years old.

Club Gaming Machine Permit: - a permit to enable the premises to provide gaming machines (three machines of Categories B, C or D)

Club Gaming Permit: - a permit to enable the premises to provide gaming machines (three machines of Categories B C or D), equal chance gaming and games of chance.

Complex Lottery: - an arrangement where:

- Persons are required to pay to participate in the arrangement;
- In the course of the arrangement, one or more prizes are allocated to one or more members of a class;
- The prizes are allocated by a series of processes; and
- The first of those processes relies wholly on chance.

Conditions: - conditions to be attached to licences by way of:

- Automatic provision
- Regulations provided by Secretary Of State
- Conditions provided by Gambling Commission
- Conditions provided by Licensing Authority
- Conditions may be general in nature (either attached to all licences or all

licences of a particular nature) or may be specific to a particular licence.

Customer Lotteries: - lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These lotteries may not be conducted on vessels.

Default Conditions: - conditions that will apply unless the Licensing Authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.

Delegated Powers: - decisions delegated by the Licensing Authority either to a Licensing Committee, Sub-Committee or Licensing Officers.

Equal Chance Gaming: - games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants

Exempt Lotteries: - lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are four types:

- Small Society Lottery (required to register with Licensing Authorities)
- Incidental Non-Commercial Lotteries e.g. raffle at a dance/church fair
- Private Lotteries e.g. raffle at a student hall of residence
- Customer Lotteries e.g. supermarket holding a hamper raffle

External Lottery Manager: - an individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.

Family Entertainment Centre (FEC): - a premises (other than an Adult Gaming Centre) wholly or mainly used for making gaming machines available for use. There are two types of FECs, licensed and unlicensed. A licensed FEC is one licensed by the Gambling Commission and allowed to offer an unlimited number of Category C and D gaming machines in a premises which is open to all ages. Category C machines must, however, be in a segregated part of the premises that is supervised to prevent children and young people accessing those machines. An unlicensed FEC contains just Category D gaming machines or bingo prize gaming machines and is also open to all ages, but typically the machines would be in a designated, enclosed area. Such a premises does not require a licence from the Gambling Commission but must have a permit from its local licensing authority.

Gambling: - gaming, betting and participating in a lottery.

Gambling (non-remote): - means gambling which is carried out in a gambling premises and not via remote communication.

The Gambling Act 2005: - primary legislation which governs a unified regulatory network for the regulation of all forms of gambling in the United Kingdom, except the National Lottery.

Gaming: - is playing a game of chance for a prize. It includes a game that involves both an element of chance and an element of skill, a game that involves an element of chance that can be eliminated by superlative skill, and a game that is presented as involving an element of chance, but does not include a sport.

Gaming Machine: - a machine which is designed or adapted for use by individuals to gamble (whether or not it can be used for other purposes). This definition includes traditional "fruit machines" and machines on which virtual betting and gaming by machine as well as virtual lotteries. It includes Fixed Odds Betting Terminals.

Guidance to Licensing Authorities: - guidance issued by the Gambling Commission dated 1 April 2021

Inadmissible Representation: - a representation not made by a Responsible

Authority or Interested Party.

Incidental non-commercial lottery: - a lottery that is run as an additional amusement at non-commercial events with tickets only sold and drawn during the event, such as a raffle at a dance, bazaar etc.

Interested Party: - a person who in the opinion of the Licensing Authority

- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- Has business interests that might be affected by the authorised activities; or
- Represents persons above, including Trade Associations, Trade Unions, Residents and Tenants Associations where they can demonstrate that they represent such persons.

Irrelevant Representations: - representations that are vexatious or frivolous will not influence the authority's determination of the application.

Large Lottery: - where the total value of tickets in any one lottery exceeds £20,000 or tickets in separate lotteries in one calendar year exceeds £250,000. This type of lottery requires an operating Licence from the Gambling Commission.

Licence Conditions and Codes of Practice (LCCP): - a document produced by the Gambling Commission detailing the manner in which facilities for gambling shall be provided.

Licensed Family Entertainment Centre (LicFEC): - a premises in respect of which a family entertainment centre premises licence has effect. A family entertainment centre premises licence is a licence that authorises a premises to be used for making Category C gaming machines available for use. Such a premises can comprise an unlimited number of Category C and D machines. Under 18s are allowed in LicFECs, but not into the area offering Category C machines.

Licensed Lottery: - large society lotteries and lotteries run for the benefit of local authorities will require operating licences to be issued by the Gambling Commission.

Licensing Objectives: - there are three 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; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Lottery: - an arrangement where (a) persons are required to pay in order to participate in the arrangement, (b) in the course of the arrangement one or more prizes are allocated to one or more members of a class, and (c) the prizes are allocated by a process which relies wholly on chance. In a complex lottery, the prizes are allocated by a series of processes, and the first of those prizes relies wholly on chance.

Mandatory Conditions: - conditions that must be attached to a Premises Licence, to a class of Premises Licence or licences for specified circumstances.

Members Club: - a club must have at least 25 members, be established and conducted 'wholly or mainly' for purposes other than gaming, be permanent in nature, not established to make commercial profit and controlled by its members equally.

Non-commercial event: - an event where all the money raised at the event, including entrance fees, goes entirely to purposes that are not for private gain.

Non-commercial society: - a society established and conducted for charitable purposes; for the purpose of enabling participation in, or of supporting, sport athletics or a cultural activity; or for any other non-commercial purpose other than that of private gain.

Occasional Use Notice: - a notice that may only be issued in respect of a track, that permits betting on a track without the need for a Premises Licence and which only the person responsible for administration of events on the track or the occupier of the track may issue.

Off Course Betting: - to betting which is conducted outside of a racecourse or track (for example, in a betting shop).

On Course Betting: - betting that takes place on a racecourse or track, which can be in many different forms.

Operating Licence: - a licence issued by the Gambling Commission to permit individuals and companies to provide facilities for certain types of gambling, including remote or non-remote gambling.

Permit: - an authorisation issued by the Licensing Authority to provide gambling facilities where the stakes and prizes are low or gambling is not the main function of the premises.

Personal Licence: - a licence issued by the Gambling Commission to individuals who control facilities for gambling or are able to influence the outcome of gambling.

Premises: - 'any place' including anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water, a hovercraft or anything or any place situated on or in water. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.

Premises Licence: - a licence issued by the Licensing Authority to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres where an operator's licence and personal licence have been issued by the Gambling Commission. A licence is restricted to one premises only but one set of premises may have separate licences issued in respect of different parts of the building.

Private lottery: - there are three types of private lottery

- Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society
- Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises
- Residents' Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises

Prize Gaming: - gaming in which the nature and size of the prize is not determined by the number of players or the amount paid for or raised by the gaming, the prizes having been determined before play commences, e.g. bingo with non-cash prizes. (NB: bingo with cash prizes and that carried on in commercial bingo halls will need to be licensed by the Gambling Commission; prize gaming does not include gaming by use of gaming machines.)

Prize Gaming Permit: - a permit issued by the Licensing Authority to authorise the provision of facilities for gaming with prizes on specific premises.

Provisional Statement: - an application to the Licensing Authority in respect of premises that are

- Expected to be constructed
- Expected to be altered
- Expected to acquire a right to occupy

Relevant Representations: - representations that relate to the Gambling Licensing Objectives, the Gambling Commission's Guidance, the Codes of Practice.

Responsible Authorities: - public bodies for the area in which the premises are mainly or wholly situated

- Licensing Authority in whose area the premise is partly or wholly situated
- Chief Officer of Police
- Fire & Rescue Service
- Planning Authority
- Environmental Health (related to pollution and harm to human health)
- Body competent to advise on protection of children from harm, i.e. Children & Young Peoples' Service
- Navigation Authority whose statutory functions are in relation to waters where a vessel is usually moored or berthed
- Environment Agency
- British Waterways Board
- Maritime & Coastguard Agency
- HM Revenue & Customs
- Gambling Commission

Simple Lottery: - an arrangement where persons are required to pay to participate in the arrangement and in the course of the arrangement; one or more prizes are allocated to one or more members of a class; and the prizes are allocated by a process which relies wholly on chance.

Skills with Prizes machine (SWP): - a machine on which the winning of a prize is determined only by the player's skill and there is no element of chance. SWPs are unregulated.

Small Lottery: - where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.

Small Society Lottery: - a lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.

Temporary Use Notice: - a notice that may be issued in respect of a set of premises where there is no premises licence, but where a person or company holding an operating licence relevant to the proposed temporary use of premises wishes to use the premises temporarily for providing facilities for gambling.

Travelling Fair: - a fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.

Vehicles: - includes trains, aircraft, sea planes and amphibious vehicles other than hovercraft.

Vessel: - anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything or part of any place situated on or in water.

Virtual Betting: - gambling by machine that takes bets on virtual races, i.e. images generated by computer to resemble races or other events.

Young Person: - an individual who is over 16 years of age but who is under 18 years of age.