

NORTH LINCOLNSHIRE COUNCIL

LICENSING (ACTIVITIES) SUB-COMMITTEE

**APPLICATION FOR THE VARIATION OF A LICENSED PREMISES GAMING
MACHINE PERMIT – GAMBLING ACT 2005
FOR THE PREMISES KNOWN AS
QUEENSWAY, ASHBY ROAD, SCUNTHORPE, NORTH LINCOLNSHIRE**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To request that Members of this Sub-Committee determine the application for a variation of Gaming Machine Permit.
- 1.2 The application is attached as Appendix A for information.

2. BACKGROUND INFORMATION

- 2.1 In accordance with the Gambling Act 2005 and our Statement of Principles, the Sub-Committee is required to determine applications for Gaming Machines.
- 2.2 Schedule 13 of the Gambling Act 2005 allows the council to refuse to grant permits, to limit the number of machines which may be made available for gaming on the premises or to grant a different category of machines from that specified in the application.
- 2.3 For applicants wishing to site up to four machines, Officers of the Licensing Division have delegated power to issue. In all other cases applications for more than four machines are required to be placed before the Sub Committee.
- 2.4 When considering an application for more gaming machines, the Sub Committee may allow a greater number of machines, having considered all the information given at the hearing with regard to the layout and operation of the premises.
- 2.5 Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the licence and shall only determine the application having had an opportunity to consider all relevant facts. Members of the Licensing (Activities) Sub-Committee should not hear or decide on any applications for premises in their own ward.

- 2.6 Members shall remember that they are acting in a quasi-judicial role in determining the application and shall remain in the room so that they hear all the evidence before determining the application.
- 2.7 The options available to the Licensing (Activities) Sub-Committee having considered all the relevant information are as follows:
- To refuse the application
 - To grant the application restricting the number of machines
 - To grant the application with a different category of machines
 - To grant the application as applied for
- 2.8 Members should be advised that the applicant may appeal to the Magistrates Court within 21 days of the date on which they were notified of the decision.

3. ISSUES FOR CONSIDERATION

- 3.1 The application for a variation of gaming machine permit for five machines was received on 17 October 2014 (a copy is attached as Appendix A for information).
- 3.2 Plans of the premises were submitted with this application showing the current and intended locations of the gaming machines (copies are attached as Appendix B for information).
- 3.3 The premises currently have four gaming machines on the premises (a copy of the permit is attached as Appendix C for information).
- 3.4 The applicants authorised agent has been made aware the application has to go before this Sub-Committee.

4. FURTHER INFORMATION & CLARIFICATION

- 4.1 An internal plan of the premises is attached at Appendix B.

5. RECOMMENDATIONS

- 5.1 That Licensing (Activities) Sub Committee determine the application in accordance with the information contained within this report and having had due regard to the applicants representation.
- 5.2 That Licensing (Activities) Sub Committee determine the application in accordance with the options in paragraph 2.7, and attach such conditions considered necessary.
- 5.3 That Licensing (Activities) Sub Committee provide the reasons for their decision.

DIRECTOR OF PLACES

Civic Centre

Scunthorpe

North Lincolnshire

Author: Narelle Plowright

Date: 29 December 2014

Background Papers used in the preparation of this report

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: Licensing Office North Lincolnshire Council Neighbourhood + Environment, Licensing Division Church Square House, PO Box 42 Scunthorpe, North Lincolnshire DN15 6XQ	
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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)

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)

c) Apply for a new licensed premises gaming machine permit
((if you choose this option then please complete sections B, D and E)

d) Apply to vary an existing licensed premises gaming machine permit
(if you choose this option then please complete sections B, D and E)

e) Apply to transfer an existing licensed premises gaming machine permit
(if you choose this option then please complete sections C, D and E)

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	4
D	0	1
Total		

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.

Section C – Application for permit transfer (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

Granted

6. Please provide your existing permit, or provide reasons stating why it cannot be provided

Existing permit provided

Reasons why existing permit cannot be provided

Section D – General Information

7. Name of Premises... The Queensway Hotel

8. Address of Premises... Asnby Road, Scunthorpe, North Lincolnshire DN16 2AG

9. Telephone number of Premises... 01724 865 059

10. Name of existing Premises Licence holder... Greene King Retail

11. Address of Premises Licence holder (if different from 8 above)

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

Bob Rudd Leisure Ltd

Hawthorn House

Brunswick Industrial Estate

Brunswick Village

Newcastle Upon Tyne NE13 7BA

15. Licensing Act 2003 Premises Licence Number

MORE

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

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Section E – Fee and Signature(s)

I enclose a sum of (£...100.....)* (cheques should be made payable to)

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

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

Dated ...15/10/14.....

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

Print Name...JENNIFER LAW.....

*Fees

Notification of 2 or less gaming machines	-	£50
More than 2 gaming machines (if an existing operator)	-	£100
More than 2 gaming machines (in all other cases)	-	£150
More than 2 gaming machines (transfer)	-	£25
More than 2 gaming machines (variation)	-	£100

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):

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. The local authority may take into account of any other matters which are considered relevant to the application, our Statement of Principles (Gambling Policy) states that:

"If a premises wishes to have more than two machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of The Gambling Act 2005, and "such matters as they think relevant." The Licensing Authority considers that such applications will be decided on a case by case basis by the Licensing Committee 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 have access to the adult only gaming machines. Measures which will satisfy the authority that there may be no access may include the adult gaming machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of 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.

6. 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.

7. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable within 30 days of the permit coming into effect 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. There are no annual fees payable for 2 machines or less.
8. 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
9. 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 Newcastle City Council licensing office.
10. 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.
11. 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.

REQUEST FOR ACKNOWLEDGEMENT OF RECEIPT OF NOTIFICATION
OF 2 OR ~~LESS~~ GAMING MACHINES/GAMING MACHINE PERMIT FOR
MORE MORE THAN 2 MACHINES

I, Greene King Retail.....(insert name of the Licensing Act 2003
licence holder), request that this paper is returned to me at the following address and with the
details below provided by the local licensing authority, so as to acknowledge my notification of 2 or
less gaming machines at The Queensway Hotel.....(insert
name of premises).

Insert address to which you wish this acknowledgement to be sent:

.....Bob Rudd Leisure Ltd.....
.....Hawthorn House.....
.....Brunswick Industrial Estate.....
.....Brunswick Village.....
.....Newcastle Upon Tyne NE13 7BA.....
.....

Official Use Only (to be completed by the local licensing authority)

Date of receipt of notification of 2 or less gaming machines:

Date of receipt of fee:

Signature:

Local licensing authority stamp:

GREENE KING House No: []
Acc Man: PHIL ASPINALL []

Site Plan

Site Name QUEENSWAY, SCUNTHORPE

INSTALL []

Bob Rudd Leisure Ltd

ATM
ATM
Terminals

Sound Area

Cigs
Cigs M/c

W/B
W/Box

CD
Hau
COP

Pool
Pool

T
Tournament

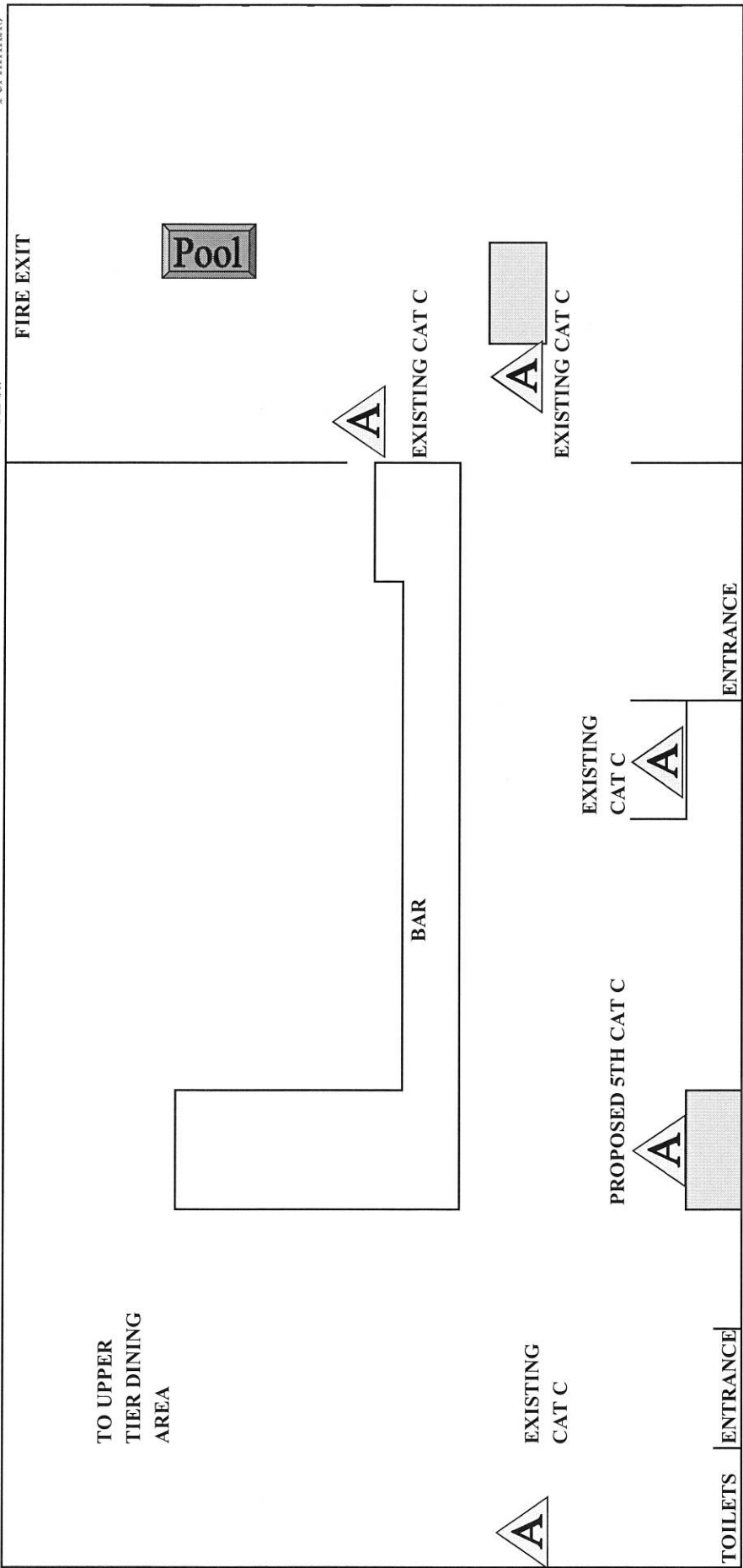
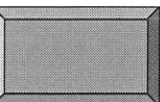
V
Video

S
SWP

Digi
Digital Music

AWP

KEY



Action Required / Additional Comments

Pub Co:

Site Plan

House No:

Acc Man:

Bob Rudd Leisure Ltd

Site Name

INSTALL



AWP



Digi Digital



SWP



Video



Tournament



Pool



CD



W/Box



Hau



1



2



3



4

Sound

Cigs M/c

W/Box

Hau

Pool

Tournament

Video

SWP

Digi Digital

AWP

ATM ATM

Terminals

Area

Cigs M/c

W/Box

Hau

Pool

Tournament

Video

SWP

Digi Digital

AWP

BAR

ATM ATM

Terminals

Area

Cigs M/c

W/Box

Hau

Pool

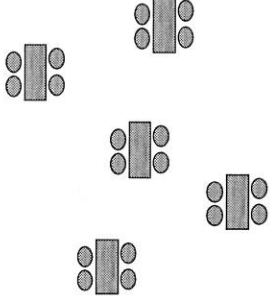
Tournament

Video

SWP

Digi Digital

AWP



QUIZ amb £46



Cops Streetwise £161 (prev)

Banker Rings amb £149



FIXED SEATING

STAIRS

Action Required / Additional Comments: