

Page 4.9

The brackets should be removed from the first sentence of paragraph 1.4.

The appendices to the policy to include a list of all licensed premises referred to in paragraph 1.4.

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Paragraph 2.14 should be replaced with the following:-

2.14 The Licensing Authority is responsible for a number of functions including:

- The issue of premises licences in respect of premises where gambling activities are to take place.
- The issue of provisional statements.
- the issue of club gaming permits and/or club machine permits to members' clubs and miners' welfare institutes.
- The issue of club machine permits to commercial clubs.
- The issue of permits to unlicensed family entertainment centres for the use of category D lower stake gaming machines.
- The issue and regulation of gaming and gaming machines in alcohol licensed premises.
- The registration of small society lotteries.
- The issue of prize gaming permits.
- The receipt and endorsement of temporary use notices.
- The receipt of occasional use notices.
- The provision of information to the Gambling Commission about licences issues (see section 13 on information exchange).
- The keeping of registers of the permits and licences issued under these functions.
- The exercise of its powers of compliance and enforcement under the 2005 Act in partnership with the Gambling Commission and other relevant responsible authorities.

N.B. It should be noted that the Licensing Authority's functions do not include matters concerning the National Lottery, Remote Gambling or Spread Betting.

A full list of these functions to be included in the appendices to the policy.

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Paragraph 2.38 should be replaced with the following wording:-

This Authority will generally require written evidence that a person is authorised to represent an Interested Party.

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Insert additional paragraph between the current paragraphs 2.44 and 2.45, as follows:-

The Licensing Authority will give favourable consideration to licence applications resulting from the re-siting of premises within the same locality and extensions in order to enhance the quality of facilities provided, but this is without prejudice to the determination of any planning application that may be required.

The current paragraph 2.47 should be replaced with the following:-

**Moral Objections / Unmet Demand**

Moral objections to gambling are not a valid reason to reject applications for premises licences and unmet demand is not a criterion for a Licensing Authority to consider.

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Insert additional paragraph between the current paragraphs 2.53 and 2.54, as follows:-

Where a single point of contact has been supplied by the operator of a number of premises within Rochford District, the Authority will endeavour to contact that person first in respect of any enforcement issues that might arise.

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“or an approved qualification accredited by the DCMS.” should be inserted to the end of Paragraph 3.24.

Paragraph 3.25 to be replaced with the following:-

**Credit and Cash Dispensers**

- (a) Credit facilities are prohibited.
- (b) Cash machines may be sited in licensed premises but the Licensing Authority may impose conditions on their siting where they are installed in casinos or bingo premises.

Page 4.22

The betting machines section should be replaced with the following:-

**Betting Offices and Machines**

The Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or, where applicable, to a Casino Premises Licence.

When considering whether to impose a condition to restrict the number of betting machines in particular premises the Licensing Authority will consider:-

- Each application on its own merit.
- The size of the premises.
- The number of counter positions available for person to person transactions.
- The ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.
- Evidence that such machines have been or are likely to be used in breach of licensing objectives.
- The relevant Codes of Practice or Guidance issued under the Gambling Act 2005 by the Secretary of State.

In addition, details of GAMCARE and the facilities offered to be included in the appendices to the policy, on the Council's website and also made available in Council reception areas.

Page 4.25

Paragraphs 4.10 and 4.11 should be replaced with the following:-

The holder of a premises licence under the Licensing Act 2003 that authorises the sale and consumption of alcohol on premises, which contain a bar at which alcohol is served but without the requirement that food is also served, is automatically entitled to operate two gaming machines of categories C and D.

In order to do so, they must first notify the Licensing Authority of their intention to do so and pay the prescribed fee.

It should be noted that those restaurants that did not seek to remove the restriction on the sale of alcohol with food that applied if they had a restaurant licence under the Licensing Act 1964 will not qualify to an automatic entitlement to gaming machines.

Delete "on the anniversary of the permit's grant" from the end of the second sentence of the current paragraph 4.14.

The appendices to include clear guidance on the basis for the determination of

applications by officers under the Scheme of Delegation to Officers, together with clear information on the application process.

The appendices to include guidance on the transitional arrangements for alcohol licensed premises and their entitlement to Amusement With Prizes machines in excess of the automatic entitlement to 2.