



# Complete Agenda

Democratic Services  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH



Mae'r ddogfen hon hefyd ar gael yn Gymraeg.

This document is also available in Welsh.

Meeting

**CENTRAL LICENSING COMMITTEE**

Date and Time

**MONDAY, 22ND JUNE, 2026**

**TO FOLLOW ON FROM THE GENERAL LICENSING COMMITTEE**

Location

**Virtual Meeting**

**NOTE**

**\* For public access to the meeting, please contact us\***

Contact Point

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(DISTRIBUTED 15 June 2026)

# **CENTRAL LICENSING COMMITTEE**

## **MEMBERSHIP (15)**

### **Plaid Cymru (10)**

#### Councillors

Annwen Hughes  
Edgar Wyn Owen  
Elfed Williams  
Gwynfor Owen  
Gwilym Evans

Gareth Tudor Jones  
Huw Rowlands  
Alan Jones Evans  
Arwyn Herald Roberts  
Meryl Roberts

### **Independent (5)**

#### Councillors

Gareth Williams  
John Brynmor Hughes  
Hefin Underwood

Angela Russell  
Anwen J. Davies

### **Ex-officio Members**

Chair and Vice-Chair of the Council

# **A G E N D A**

**1. ELECT CHAIR**

To elect Chair for 2026 / 2027

**2. ELECT VICE CHAIR**

To elect Vice Chair for 2026 / 2027

**3. APOLOGIES**

To receive any apologies for absence.

**4. DECLARATION OF PERSONAL INTEREST**

To receive any declaration of personal interest.

**5. URGENT ITEMS**

To note any items that are a matter of urgency in the view of the Chairman for consideration.

**6. MINUTES**

4 - 6

The Chairman shall propose that the minutes of the meeting of this Committee, held on 9th of March 2026 be signed as a true record.

**7. LICENSING SUB COMMITTEE MINUTES**

7 - 18

To submit, for information, minutes of the Central Licensing Sub-committee meeting held on the following dates –

- a) 20-03-2026
- b) 28-04-2026

**8. REVIEW OF THE STATEMENT OF GAMBLING POLICY**

19 - 69

To consider the draft Statement of Gambling Policy in accordance with the Gambling Act 2005 and approve it for public consultation.

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## CENTRAL LICENSING COMMITTEE 09-03-2026

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### Attendance:

**Councillors:** Alan Jones Evans, Gwilym Evans, Annwen Hughes, John Brynmor Hughes, Gareth Tudor Jones, Edgar Wyn Owen, Huw Rowlands, Elfed Williams, Gwynfor Owen, Meryl Roberts, Hefin Underwood and Gareth Williams

**Officers:** Gwenan Mai Roberts (Licensing Manager), Andrew Parry (Trading Standards and Licensing Manager), Nia Grisdale (Legal Services Manager), Jac Evans (Solicitor) and Lowri Haf Evans (Democracy Services Officer)

### 1. APOLOGIES

Apologies were received from Councillors Arwyn Herald Roberts and Angela Russell

Councillor Anwen Davies had been unable to join due to technical issues.

### 2. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

### 3. URGENT ITEMS

None to note

### 4. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of the previous meeting of this committee, held on 1 December 2025, as a true record.

### 5. MINUTES OF THE CENTRAL LICENSING SUB-COMMITTEES

The minutes of the Central Licensing Sub-Committee held on 18 November 2025 and 1 December 2025, were submitted and accepted for information purposes.

### 6. CENTRAL GOVERNMENT REFORM OF THE PREMISES LICENSING SYSTEM - NATIONAL LICENSING POLICY FRAMEWORK

The Licensing Manager submitted a report providing a summary of the changes that the Central Government reform of the premises licensing system would impact on policy and local Licensing decisions in Gwynedd.

It was explained that the Central Government, through its Task Force that was responsible for reforming Licensing, had shown over the years that more pressure was placed on public safety and crime prevention, under the statutory licensing objectives, and less focus on business resilience and growth.

In response to the finding, it was noted that the Task Force's main initial recommendations were to create a National Licensing Policy Framework (NLPF) to provide strategic non-

statutory guidance for licensing authorities in England and Wales with the aim of modernising licensing practices, supporting economic growth and maintaining community protection through proportionate, evidence-led regulation.

The Central Government requested evidence and the views of stakeholders during a public consultation period in October 2025, with emphasis on evidence relevant to the sale of alcohol (pubs, nightclubs and entertainment under the Licensing Act 2003). Cyngor Gwynedd responded to the request, as well as the majority of other authorities in England and Wales and organisations such as the Welsh Local Government Association, North Wales Police and Public Health.

It was reported that the statutory guidance for Local Authorities (published under s182 Licensing Act 2003) continued to be in force but had recently been reviewed by the Home Office Revised Guidance. It was reiterated that the strategic guidance ensured that the core principles highlighted by the National Licensing Policy Framework must be considered locally when informing Statements of Licensing Policy and making decisions on Licensing applications. It was elaborated that the proposed amendments included facilitating better cooperation between Local Authorities and the hospitality industry; as well as better alignment between regeneration, planning and licensing objectives.

Reference was made to how the Framework would apply to the National Licensing Policy and local licensing decisions in Gwynedd, and to the need for effective collaboration with the Planning Service. Attention was also drawn to the responsibilities and duties of officers and Members when making decisions in Central Licensing Sub-committees. Despite the need to continue to conduct necessary safety measures, it was noted that the National Framework emphasised that there was a need for a dual method of community protection under the four licensing objectives when considering supporting regeneration, investment and economy growth.

The licensing authorities would be required to demonstrate that the strategic direction of their Statements of Licensing Policy addressed and considered the National Licensing Policy Framework. However, the expectation was that this was not necessary until the next review of the Statement to Licensing Policy in 2029.

The members thanked the officer for the report.

Observations arising from the ensuing discussion

- Safeguarding children was a priority
- Any system must ensure that safeguarding and safeguarding health were the main considerations at licence hearings - concern that these amendments would lead to a direction that would undermine this

In response to a question regarding which Government was responsible for the amendments, the Licensing Manager confirmed that the United Kingdom Government's Task Force had led on the work, and she was unaware whether Welsh Government had responded to the short consultation held during October 2025. However, she elaborated that the Welsh Local Government Association had submitted comprehensive observations highlighting concerns on how the Framework would be implemented in Wales.

In response to an observation regarding the economic growth considerations at licensing hearings and the Central Licensing Sub-committees had effectively already considered economic matters, it was noted that the Government had alleged that there were inconsistencies in arrangements by Authorities and therefore the measures were submitted to address these.

In response to an observation on how decisions under the new guidelines could cause difficulties in rural areas, it was noted that the Authorities' officers, the Police and stakeholders had noted that a system that provided more flexibility e.g. for pubs to hold outdoor entertainment, could lead to an increase in offences and anti-social behaviour; whilst doing nothing to address the density of the cases could possibly have a negative impact on community well-being.

#### **RESOLVED**

- **To approve the general strategic direction of the National Licensing Policy Framework in respect of decisions made by its Sub-committee, and**
- **To approve to incorporate the strategic direction of the Framework into the next review of the Statement of Licensing Policy in 2029.**

The meeting commenced at 10.00am and concluded at 10.25am

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## CENTRAL LICENSING SUB-COMMITTEE

20 March 2026

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**Councillors:** Elfed Williams (Chair), Annwen Hughes and Gareth Williams

**Officers:** Nia Grisdale (Legal Service Manager), Gwenan Mai Roberts (Licensing Manager) and Lowri Haf Evans (Democracy Services Officer)

**Others invited:**

Ian Roberts                      Financial Manager, Portmeirion Ltd  
Siân Llywelyn                  Managing Director of Portmeirion Shops Ltd  
Meurig Jones                    Security Manager and Location Manager, Portmeirion Ltd

Alun Evans                      Environmental Health Manager, Cyngor Gwynedd

**1. APOLOGIES**

Apologies were received from Robin Llywelyn, Managing Director of Portmeirion

**2. DECLARATION OF PERSONAL INTEREST**

None to note

**3. URGENT ITEMS**

None to note

**4. APPLICATION FOR A PREMISES LICENCE: PORTMEIRION LIMITED, CAE DREIF AND CAR PARK CASTELL DEUDRAETH, PORTMEIRION, MINFFORDD, PENRHYNDEUDRAETH**

The Chair welcomed everyone to the meeting.

**a) The Licensing Department's Report**

A report was presented by the Head of the Environment Department detailing an application for a premises licence from Portmeirion Ltd to hold up to four outdoor events annually between May and September. Licensable events would be held which would include recorded music, live music and the sale of alcohol for consumption on the premises.

It was noted that the Licensing Authority's Officers had sufficient evidence that the application had been submitted in accordance with the requirements of the Licensing Act 2003 and the relevant regulations. Reference was made to the measures recommended by the applicant to promote the licensing objectives, and it was highlighted that these measures would be included on the licence.

The officers, in accordance with the Licensing Act 2003, recommended that the Committee approve the application in accordance with the agreement they had reached with the applicant to add noise control measures to the licence.

In considering the application, the following procedure was followed:-

- Members of the Sub-committee given an opportunity to ask questions of the Council's representative.
  - At the Chair's discretion, the applicant or their representative to ask questions of the Council's representative.
  - The applicant and/or their representative to be invited to expand on the application and to call witnesses.
  - Members of the Sub-committee to be given the opportunity to ask questions of the applicant and/or their representative.
  - At the Chair's discretion, the Council's representative to ask questions of the applicant and/or their representative.
  - Every Consultee to be invited to support any written representations.
  - The Council's representative and the applicant or their representative to be given the opportunity to summarise their case.
  - The legal officer to summarise the requirements of the application.
- b) Elaborating on the application, the applicant's representative made the following comments:
- The application was for holding up to four events at Cae Dreif
  - The events were part of Portmeirion's centenary celebrations and were a way of marking the occasion
  - The events were an opportunity to provide entertainment and enjoyment for the village to celebrate together
  - They hoped to hold four nights annually after this
  - They agreed with the noise control conditions – have held discussions with the organisers and the Council officers
- c) The consultees in attendance took the opportunity to expand on their written representations:
- Alun Evans (Environmental Health Manager, Cyngor Gwynedd)
- Confirmed that the conditions had been agreed
  - This condition served to protect the Licensing objective of Preventing Public Nuisance and neighbouring residents from noise pollution
  - He thanked Portmeirion for their co-operation
- ch) The Legal Officer took the opportunity to summarise the requirements of the application.
- A simple application for a licence for recorded music, live music and the sale of alcohol to be consumed on the premises
  - The measures as set out in part M of the application, to be included as conditions on the operational schedule together with the additional condition of noise control

The applicant's representatives, the Environmental Health Manager and the Licensing Manager withdrew from the meeting while the members of the Sub-Committee discussed the application.

In reaching its decision, the Sub-committee considered the applicant's application form along with written observations submitted by interested parties, the Licensing Officer's report, and the verbal representations from each party at the hearing. The Council's Licensing Policy and Home Office guidelines were considered. The Sub-committee gave due consideration to all the observations and weighed these up against the licensing objectives under the Licensing Act 2003, namely:

- i. Prevention of crime and disorder
- ii. Prevention of public nuisance
- iii. Ensuring public safety
- iv. Protection of children from harm

Observations submitted which were irrelevant to the above objectives were disregarded.

**RESOLVED: To approve the application**

**Opening Hours**

**Sunday -**

**Monday -**

**Tuesday -**

**Wednesday -**

**Thursday -**

**Friday 18:00 – 23:00**

**Saturday 18:00 – 23:00**

**Licensable Activities:**

**Live Music – Outdoors**

**Sunday -**

**Monday -**

**Tuesday -**

**Wednesday -**

**Thursday -**

**Friday 18:00 – 23:00**

**Saturday 18:00 – 23:00**

**Seasonal events – May – September – A maximum of four events in a year**

**Recorded Music**

**Sunday -**

**Monday -**

**Tuesday -**

**Wednesday -**

**Thursday -**

**Friday 18:00 – 23:00**

**Saturday 18:00 – 23:00**

**Seasonal events – May – September – A maximum of four events in a year**

**Supply of Alcohol - On the Premises**

**Sunday -**

**Monday -**

**Tuesday -**

**Wednesday -**

**Thursday -**

**Friday 18:00 – 23:00**

## Saturday 18:00 – 23:00

Seasonal events – May – September – A maximum of four events in a year

The additional measures, as set out in section M of the application, to be included as conditions including the following additional condition to control noise:

### Noise Control Conditions

1. The level of noise produced by entertainment held during the event shall not exceed the levels listed in table 1 below, between 18:00 and 23:00, at 1 metre from the façade of any noise sensitive premises in the locality.

Measurement parameter	Permitted Hours	Façade level (dB))	Open field level (dB)
L <sub>Aeq</sub> , 15 minutes (“)	10:00 – 23:00	65	62
Octave band 31.5Hz (*)	10:00 – 23:00	70	67
Octave band 63 Hz (*)	10:00 – 23:00	70	67
Octave band 125 Hz (*)	10:00 – 23:00	70	67

2. Any noise measurement undertaken to establish compliance with the above condition shall follow the guidance contained in British Standard BS 4142:2019.
3. The number of events shall be limited to a maximum of 4 in any 12-month period.
4. No more than two consecutive events shall be permitted in any 7-day period.

(“) The measurement parameter L<sub>Aeq</sub> is defined as - The relative continuous noise level which at a given location and over a given period of time contains the same sound energy as the actual fluctuating noise at the same location over the same period.

(\*) Frequency weighting should not be applied to the octave band measurements. Measurements in the octave band (centre frequencies) 31.5 Hertz, 63 Hertz and 125 Hertz should be linear.

Conditions are based on Code of Practice guidelines for the Management of Environmental Noise from Concerts (Noise Council, 1995)

In the context of **Preventing Crime and Disorder**, no observations or evidence had been submitted that related to this principle.

In the context of matters of **Public Safety**, no observations or evidence had been submitted that related to this principle.

In the context of **the Prevention of Public Nuisance**, comments were received from the Public Protection Pollution Service. While there was no objection in principle to the application, there was concern about the potential for amplified music noise from the concerts that would create a public nuisance to any nearby residential properties.

Conditions to control noise were recommended and the applicant had agreed to accept them (the additional conditions set out above).

In the context of **Protecting Children from Harm**, no observations or evidence had been submitted that related to this principle.

The Solicitor reported that the decision would be formally confirmed by letter to everyone who had submitted written observations. It was added that all parties to the application had the right to submit an appeal to Caernarfon Magistrates' Court against the Sub-committee's decision. Any such appeal should be lodged by giving notice of appeal to the Chief Executive, Llandudno Magistrates' Court, Llandudno within 21 days of the date that the appellant receives the letter (or a copy of the letter) confirming the decision.

The meeting commenced at 10:00am and concluded at 10:20am

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## CENTRAL LICENSING SUB-COMMITTEE

28 April 2026

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**Councillors:** Gwynfor Owen (Chair), Gareth T Jones and Arwyn Herald Roberts

**Officers:** Nia Grisdale (Legal Service Manager), Gwenan Mai Roberts (Licensing Manager), Andrew Parry (Trading Standards and Licensing Manager), Nicola Williams (Licensing Compliance Officer), Glain Eden (Legal Officer – observing) and Lowri Haf Evans (Democracy Services Officer)

**Others invited:**

Alex Kalebic	Applicant
Robert Botkai	The applicant's representative
Ffion Lewis	Public Protection Officer

**1. APOLOGIES**

Apologies were received from Arwel Thomas (Senior Planning Officer) and from Betsi Cadwaladr University Health Board's (BCUHB) Public Health representative.

**2. DECLARATION OF PERSONAL INTEREST**

None to note.

**3. URGENT ITEMS**

None to note.

**4. APPLICATION FOR A PREMISES LICENCE: Morlo Lounge, Station Square, Pwllheli, LL53 5HG**

The Chair welcomed everyone to the meeting.

**a) The Licensing Department's Report**

The report of the Head of the Environment Department was presented, providing details of an application for a premises licence variation by Loungers UK Ltd. It was explained that the premises, until recently, had been a licensed nightclub and restaurant.

It was highlighted that the current licence set out opening hours until 03:00 and 04:00 on Saturday night/Sunday morning and included the right to host live music, recorded music and dance performances until 02:45, and 3:45 on Saturday night/Sunday morning; the sale of alcohol and late-night refreshments until 02:30 (3:30 Saturday night/Sunday morning) and sporting events until 23:45. It was reiterated that the applicant had not indicated a change in the hours of the proposed licence and no information had been submitted regarding the proposed hours of operation.

Reference was made to revised plans to extend the licensed area of the premises to include an area of pavement outside the premises, but no information had been received from the applicant's agent as to the ownership of this piece of public pavement. However, it was noted that an application for a section 115 licence for the use of street furniture had been submitted.

It was noted that the Licensing Authority's Officers had sufficient evidence that the application had been submitted in accordance with the requirements of the Licensing Act 2003 and the relevant regulations. Reference was made to the measures recommended by the applicant to promote the licensing objectives, and it was highlighted that these measures would be included on the licence.

Attention was drawn to the responses received during the consultation. Observations were made by BCUHB expressing concern about the late hours of the licence and of allowing the sale of alcohol to be consumed outside until 23:00 on the pavement; that restricting walking space would undermine pedestrian safety and/or increase the risk of anti-social behaviour, noise disturbance and the exposure of children and families to circumstances where alcohol was consumed.

North Wales Police had no objection to the application, but expressed concern that the nightclub's opening hours remained in force and that a late-hours licence would increase the risk of criminal incidents and alcohol-related disorder and violence. They had also noted that measures were not in place to control the use of glass containers in the outdoor area.

In the context of Planning matters, observations were received from the Planning Department objecting to the application as the proposed extension which included additional external areas went beyond what was lawful in terms of land use on the current planning permission.

The Public Protection Service had also raised concerns about the lack of a Noise Impact Assessment which would support the planning application and also about the use of the external areas which would have the potential to increase customer noise, or music noise that would affect nearby residents. The service had proposed noise conditions in order to manage the risks should the application be approved.

The officers recommended that the Sub-committee carefully considered the responses received from the responsible authorities. The concerns outlined by the Responsible Authorities were considered to be valid, proportionate and reasonable, and would not limit the prosperity of the business. Should the Sub-committee decide to grant the application, additional conditions could be included to address the concerns identified on the operating schedule of the licence; in accordance with what is permitted under the Licensing Act 2003.

Since the publication of the report, it was highlighted that a compromise had been accepted by the applicant regarding the licensable hours, which indicated changing:

- The final hour for the sale of alcohol to 00:00.
- The final hour for late-night refreshments to 00:00.
- The opening hours until 00:30.

It was reiterated that BCUHB had responded to the adaptation by agreeing to the change of hours for the sale of alcohol, as it was in line with similar food-focused premises in the area.

In considering the application, the following procedure was followed:

- Members of the Sub-committee given an opportunity to ask questions of the Council's representative.
  - At the Chair's discretion, the applicant or his representative to ask questions of the Council's representative.
  - The applicant and/or his representative to be invited to expand on the application and to call witnesses.
  - Members of the Sub-committee to be given the opportunity to ask questions of the applicant and/or his representative.
  - At the Chair's discretion, the Council's representative to ask questions of the applicant or his representative.
  - Every Consultee to be invited to support any written representations.
  - The Council's representative and the applicant or his representative to be given the opportunity to summarise their case.
  - The legal officer to summarise the requirements of the application.
- b) As the Council's representative responded to questions from Sub-committee Members, recent photographs of the site and the surrounding area were shown, highlighting the location, the extent of the pavement, the location of the external areas, the structural alterations and the construction works.

It was noted that an extensive consultation had been carried out in accordance with statutory requirements, which included advertising for 28 days, displaying an advertisement on the premises, an advertisement on the Council's website and in local newspapers. It was confirmed that no observations/objections had been received from local residents.

It was noted that the Weatherspoons pub and restaurant was located opposite the proposed location of Morlo Lounge, but that its format and design were different, with folding doors in front of the building giving the impression of 'drinking outside'.

- c) Elaborating on the application, the applicant's representative made the following comments:
- That Morlo Lounge was part of the Clio Lounge concept; it is a company that creates a lounge atmosphere away from home, offering a cosy place to eat, drink and meet friends in a relaxed atmosphere.
  - Regulated entertainment would not be held on the premises.
  - Table service would be implemented, with customers ordering food and/or drinks to the table via an app or waitress/waiter.
  - That a planning application had been submitted – and was awaiting a decision.
  - That an application for a pavement licence had been submitted to meet the expectations of customers to sit outside. The intention was to extend the existing area and place tables and chairs on the pavement outside.
  - The premises would offer mid-morning breakfast, lunch and supper with the hours now significantly adapted.
  - The disposal of waste bottles or cans into containers outside the licensed building was now prohibited between the hours of 22:00 – 07:00.
  - There was no intention to use glass in the outer areas.
  - Following engagement with the Police and Health Board, the external areas to close at 23:00.
  - That the pavement was a multi-use path - that it was a wider pavement than usual.

- In response to the Planning Department's observations, it was not intended to use the first floor as part of the licensed premises.
- The use would be completely different from the premises' previous use as a nightclub. Dispersal issues would not arise at the end of the night.
- That he urged the Sub-committee to support the enterprise which would bring benefits to the local economy; it was a significant improvement and a more inclusive, managed site.

The applicant added that the company had sites in Bangor, Prestatyn and Llandudno – offering a friendly space for family and friends. Introducing a lounge to Pwllheli would be positive for the town.

In response to a question about the total capacity when the premises were full, it was noted, approximately, that there would be space for up to 80 people to sit in the outdoor areas and space for up to 120 people to sit indoors. In response to a supplementary question regarding the number of staff and the intention to employ locally, it was stated that he envisaged the need for 30-40 jobs with a view to offering local employment.

In response to a question about managing the situation of not using glass containers outside and how the westerly outer area would be managed in relation to customers and path users on busy weekends, it was noted that this was not a pub offering a drinking culture – the areas would be managed with strict rules and kept clear and tidy at all times. There would be no smoking zones on site, and they did not anticipate any issues regarding disorder.

- ch) The consultee in attendance took the opportunity to expand on the observations she had submitted in writing:

Ffion Lewis: Public Protection Officer

- That the site was being converted from a nightclub to a café/bar and therefore concerns arose about the use of the current licence and the lack of information.
- As a nightclub, appropriate doors and windows had been installed to prevent noise disruption to nearby residents.
- If the licence was to be granted for drinking alcohol outside, this would allow live music outside.
- The noise control plan submitted stated that the outer areas were to close at 22:00 unlike the application which stated 23:00.

In response to the observations, the applicant's representative stated that live music would not be played on the premises. There would be no regulated entertainment. In the context of the closure times of the outer areas, he added that the external seating area on Embankment Road would close after 22:00 and the rest of the external areas would close at 23:00.

In response to a question as to who owned the land to the west side, where tables and chairs would be placed, it was confirmed that the Council owned most of the area and therefore that was why an application for a street furniture licence had been submitted. It was noted that the car park and the outdoor area to the rear of the building were owned by the business.

- d) Taking advantage of the right to summarise her case, the Licensing Manager stated that the application submitted was for a licence variation, but that the licence in fact needed to be considered as new. However, she noted that there was a response and that a

compromise with respondents' observations was very important as they presented legitimate concerns that needed addressing. It was reiterated that:

- the planning elements were still awaiting a decision by the Planning Department
- following compromise negotiations, the hours had been significantly reduced
- there was a change of use to the premises.

Taking advantage of the opportunity to summarise their case, the applicant's representative noted that:

- the licensable activities ended at 00:00
- there would be no regulated entertainment
- only the ground floor would be used
- planning permission was awaiting a decision
- that they accepted the conditions
- that wording needed to be added to Section M. Part D: 'every table and chair in the Embankment Road external area will be rendered unfit for use after 22:00 every day'.

- dd) The Legal Officer took the opportunity to summarise and confirm the requirements of the application. Observations on the proposed conditions were received. It was agreed to remove condition 3 (noise prevention) and adapt condition 2 (waste disposal) which had been proposed by the Public Protection Service.

The applicant and their representative, the Licensing Manager, Trading Standards and Licensing Manager, and Licensing Compliance Officer withdrew from the meeting while the members of the Sub-committee discussed the application.

In reaching its decision, the Sub-committee considered the applicant's application form, the written observations submitted by interested parties, the Licensing Officer's report, together with the verbal representations from each party present at the hearing. The Council's Licensing Policy and Home Office guidelines were considered. The Sub-committee gave due consideration to all the observations and weighed these up against the licensing objectives under the Licensing Act 2003, namely:

- i. Prevention of crime and disorder
- ii. Prevention of public nuisance
- iii. Ensuring public safety
- iv. Protection of children from harm

Observations submitted which were irrelevant to the above objectives were disregarded.

**RESOLVED: To approve the application**

**Opening Hours:**

**Sunday 08:00 – 00:30**

**Monday 08:00 – 00:30**

**Tuesday 08:00 – 00:30**

**Wednesday 08:00 – 00:30**

**Thursday 08:00 – 00:30**

**Friday 08:00 – 00:30**

**Saturday 08:00 – 00:30**

**Licensable Activities:**

**Late-night refreshment - Indoors and Outdoors**

**Sunday 23:00 – 00:00**  
**Monday 23:00 – 00:00**  
**Tuesday 23:00 – 00:00**  
**Wednesday 23:00 – 00:00**  
**Thursday 23:00 – 00:00**  
**Friday 23:00 – 00:00**  
**Saturday 23:00 – 00:00**

**Supply of Alcohol - on and off the Premises**

**Sunday 08:00 - 00:00**  
**Monday 08:00 – 00:00**  
**Tuesday 08:00 – 00:00**  
**Wednesday 08:00 - 00:00**  
**Thursday 08:00 – 00:00**  
**Friday 08:00 – 00:00**  
**Saturday 08:00 – 00:00**

**Additional measures:**

- **The external seating area on Embankment Road must be closed after 22:00 and the rest of the external areas to close at 23:00.**
- **Drinks in glass containers would not be served in the external area on Embankment Road.**
- **The disposal of waste bottles or cans into containers outside the licensed building is prohibited between 22:00 – 07:00. Empty bottles shall be stored in a lidded skip/bin within the curtilage of the premises.**
- **A full list of the measures as set out in Part M of the application and proposed by the applicant to promote the Licensing Objectives to be included as conditions on the licence.**

**Note:**

- To maintain a written Noise Management Plan, ensuring that it will be available at the request of authorised officers.
- To take appropriate steps to ensure safety.

In the context of **Prevention of Crime and Disorder**, the Police did not submit any observations in response to the application and no further evidence was presented that related to this principle.

In the context of matters of **Public Safety**, no observations or evidence had been submitted that related to this principle.

In the context of **Prevention of Public Nuisance**, observations were received from the Environmental Health Service expressing concern about the restaurant's opening hours and noise impact, but following a change to the application and agreement in terms of relevant conditions proposed by them in response to the application, the concerns had been alleviated.

An objection was received from the Planning Department stating concern about the use of the terrace floor. It was noted that this part was not included in the licence variation. The applicant would also need to ensure that planning permission and a street furniture licence were granted before serving food outside.

In the context of **Protecting Children from Harm**, no observations or evidence had been submitted that related to this principle.

It was noted that if any problems arose in connection with the licensing principles, the Act would allow a licence to be referred for review by the Authority.

The Solicitor reported that the decision would be formally confirmed by letter to everyone who had submitted written observations. It was added that all parties to the application had the right to submit an appeal to Caernarfon Magistrates' Court against the Sub-committee's decision. Any such appeal should be lodged by giving notice of appeal to the Chief Executive, Llandudno Magistrates' Court, Llandudno within 21 days of the date that the appellant receives the letter (or a copy of the letter) confirming the decision.

The meeting started at 10.00am and ended at 12.00am.

<b>COMMITTEE:</b>	<b>CENTRAL LICENSING COMMITTEE</b>
<b>DATE:</b>	<b>22 June 2026</b>
<b>TITLE:</b>	<b>REVIEW OF THE STATEMENT OF GAMBLING POLICY</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF ENVIRONMENT DEPARTMENT</b>

## 1. **PURPOSE**

- 1.1 The purpose of this report is to submit a draft Statement of Gambling Policy for consideration and approval before conducting a public consultation in accordance with the Gambling Act 2005 (Appendix 1).

## 2. **BACKGROUND AND INTRODUCTION**

- 2.1 For the purposes of the Gambling Act 2005 (the Act), Cyngor Gwynedd is considered to be the Licensing Authority and is responsible for issuing and regulating premises licences, including bingo premises, betting shops, amusement arcades, etc.  
The Authority is also responsible for registering small lotteries and for issuing gambling machine permits to public houses.
- 2.2 Not all types of gambling are regulated by the Local Authority; for example, the Financial Services Authority (FSA) and the National Lottery Commission continue to regulate spread betting and the National Lottery.
- 2.3 It is the Gambling Commission's responsibility to issue operating and personal licences for commercial gambling (such as casinos and bingo halls) and for people working in the industry.
- 2.4 The Act has three licensing objectives, and it is these that form the basis of the Licensing Authority's functions. These are -
- Preventing Gambling from being a source of crime and disorder, from being associated with crime or disorder, or from being used to support crime
  - Ensuring that Gambling is conducted in a fair and open way
  - Safeguarding children and other vulnerable people from being harmed or exploited through gambling.
- 2.5 Section 349 of the Act requires Licensing Authorities, every three years, to prepare and publish a statement of the Licensing Principles they wish to implement whilst carrying out their functions in accordance with the Act.

- 2.6 The current Statement of Gambling Policy has been subject to significant improvements in 2018, and while the Central Government has recognized the need to review the legislation around the regulation of the Gambling industry, there have been no significant changes recently in terms of regulating those elements of the industry that are relevant to the Local Licensing Authorities. In determining its Policy, the Authority must have regard to the Guidance issued by the Gambling Commission under section 25 of the Act.
- 2.7 The draft policy statement has been reviewed in accordance with the Gambling Commission's guidance to Local Authorities published in 2021 and revised in 2025.
- 2.8 In its latest guidance, the Commission has reinforced provisions requiring gambling operators to assess the local risks to the licensing objectives arising from the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures in place to mitigate those risks. The intention of national policy in this regard is to establish a transparent and evidence-based approach to consider and implement measures to address the risks associated with gambling. When conducting these risk assessments, licence holders should consider the Licensing Authority's Statement of Gambling Policy.
- 2.9 The Guidance also encourages Licensing Authorities to develop a Local Area Profile, highlighting key features that operators should consider.
- 2.10 The review to the draft Policy has been prepared in consultation with the North Wales Licensing Group and aims to achieve consistency in approaches across the region.
- 2.11 Input was also received from officers from the Public Health Directorate of Betsi Cadwaladr University Health Board, due to the increasing significance of the harmful effects of gambling on public health.

### 3. **PROCEDURE FOR ADOPTION**

- 3.1 A consultation will be held on the draft Statement of Gambling Policy if approved by this Committee, in accordance with s349 of the Act which will include -
- A Chief Police Officer
  - One or more persons whom the Authority considers to represent the interests of persons running gambling businesses in the Authority's area
  - One or more persons whom the Authority considers to represent the interests of persons likely to be affected by the Authority as it undertakes its function in accordance with the Gambling Act 2005.

- 3.2 The public consultation period will run for 12 weeks, and the Licensing Authority will have to take into account the responses received during the consultation process; a request will be made to this Committee to consider any possible changes arising from the consultation process.
- 3.3 Once the Licensing Committee has agreed a final draft of the Statement of Gambling Policy, Section 154 of the Act states that the policy must be adopted by the full Council.

#### 4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 The Gambling Commission's guidance on formulating and reviewing policy leads Licensing Authorities to take into consideration the equality characteristics of citizens who may be impacted by gambling practices when deciding on applications for a premises licence, etc. Equality characteristics have therefore been considered when the Statement of Gambling Policy was originally produced in order to comply with the Act, and each time the Policy has been subsequently reviewed.
- 4.2 A comprehensive Equality Impact Assessment was carried out on the current Statement of Gambling Policy, following a period of engagement on the draft policy. Once a public consultation has taken place on the draft policy statement, the Equality Impact Assessment will be reviewed, taking into account the minor changes introduced in the draft policy. If any changes to the Impact Assessment are required, this will take place before the Policy Statement is submitted to the full Council for approval later in the year.

#### 5. **RECOMMENDATION**

- 5.1 The Committee is asked to consider the draft Statement of Gambling Policy in accordance with the Gambling Act 2005 and approve it for public consultation.

# Statement of Gambling Policy

GAMBLING ACT 2005

2026 – 2029 Draft for consultation



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# 1. INTRODUCTION

## 1.1 BACKGROUND

- 1.1.1 Under the provisions of the Gambling Act 2005, Gwynedd Council is the **Licensing Authority** (and is referred to in this document as “the licensing authority”) responsible for granting gambling Premises Licences, Notices, Permits and Registrations in the county of Gwynedd.
- 1.1.2 The Gambling Act 2005 (“the Act”) requires a licensing authority to prepare and publish a statement of licensing policy (“the policy”) at least every three years. This policy is made under Section 349 of the Act and in accordance with the ‘Guidance to Local Authorities’ issued by the Gambling Commission under Section 25 of the Act (“the Guidance”).
- 1.1.3 The licensing authority is bound by the Act and any regulations made under the Act. The licensing authority must have regard to the Guidance and the Licence Conditions and Codes of Practice (LCCP) issued by the Gambling Commission (Section 153). If it considers it appropriate, the licensing authority may depart from the Guidance if they have good reason to do so and can provide full reasons.
- 1.1.4 The policy was adopted by Gwynedd Council on **XXXX** having considered the comments received from those consulted. The policy becomes effective from this date and will remain in force until a statutory or other review and consultation process is deemed necessary. The licensing authority will keep the policy under review, making any amendments it considers appropriate to support the licensing objectives. Any amendments will be published in the form of a new policy statement or, if appropriate, by publishing the amendment.
- 1.1.5 The policy will normally apply to any application determined after the date that the licensing authority resolved to make these policies operational, irrespective of the date on which the application was made.
- 1.1.6 Key policy principles are presented in shaded boxes.
- 1.1.7 The Appendices are to be read in conjunction with this policy however they do not form part of the policy and may be updated at any time.

## 1.2 GEOGRAPHY OF GWYNEDD COUNCIL

- 1.2.1 The county of Gwynedd lies in North West Wales, has a population of 117,400 residents according to the 2021 census and a land area of 2548 sq.km. It has 301km of coastline and is home to the biggest mountain in England and Wales, Snowdon at 3,560ft. Much of its area falls within the Snowdonia National Park, reflecting the physical beauty of the area. A map and profile of the area is available in [Appendix A](#).
- 1.2.2 The leisure and tourism industry in Gwynedd is a major contributor to the local economy. Gwynedd attracts over 7 million tourists and visitors per year.
- 1.2.3 Gwynedd has over 250 premises authorised by a premises licence, notice or permit under the Gambling Act 2005.
- 1.2.4 Gwynedd contains small areas within 10% of the most deprived areas in Wales for certain indicators such as health and community safety. Some local economic challenges include:
- Lower average incomes and higher rates of part-time or seasonal work.
  - 24.6% of Children living in relative poverty, higher than Wales average of 18.9% (ONS, 2024)

## 1.3 CONSULTATION PROCESS

- 1.3.1 The draft Statement of Licensing Policy was subject to formal consultation with:
- North Wales Police Service;
  - North Wales Fire & Rescue Service;
  - Representatives of the holders of the various licences for premises in the District who will be affected by this policy;
  - Persons and businesses likely to be affected by authorised gambling within the District
  - Betsi Cadwaladr University Health Board, Public Health Directorate
- 1.3.2 The draft Statement of Licensing Policy was also advertised and made available for inspection on the licensing authority website, and in council offices and libraries for a period of 12 weeks in accordance with the requirements of the Act.
- 1.3.3 The licensing authority, giving full regard to the Guidance, gave appropriate weight to the views of those consulted. In determining what weight to give particular representations, the licensing authority took into account:
- who made the representation (what is their expertise or interest)
  - how many other people have expressed the same or similar views
  - how far the representations relate to matters that the licensing authority should be including in the policy statement.

## 2. SCOPE AND EXTENT

2.0.1 The purpose of this statement of licensing policy is to set out the principles the licensing authority will apply when exercising its licensing function, i.e. when regulating the gambling activities within the terms of the Act. Reference will be made to the Act for ease of understanding however it is not intended to be a simplified summary of the law.

2.0.2 The Act defines **Gambling** as:-

2.0.3 **Gaming** - means playing a 'game of chance' for a prize. A 'game of chance' includes a game that involves both an element of chance and 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.

2.0.4 **Betting** – means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not.

2.0.5 **Taking part in a lottery** – means paying in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

A full glossary of the terms used in the Act and in this policy can be found in **Appendix B**.

2.0.6 It is a criminal offence under Section 33 of the Act to provide facilities for Gambling unless an exception is provided for under the Act.

2.0.7 The **types of authorisation** the Act requires the licensing authority to regulate are:-

- Premises Licences
- Temporary Use Notices
- Occasional Use Notices
- Permits as required under the Act; and
- Registrations as required under the Act.

2.0.8 This policy relates to all premises licences, notices, permits and registrations identified as falling within the provisions of the Act, namely: -

- Premises Licences
  - Casinos;
  - Bingo Premises;
  - Betting Premises;
  - Tracks (*site where races or other sporting events take place*);

- Adult Gaming Centres;
  - Licensed Family Entertainment Centres;
- Notices
  - Temporary Use Notices
  - Occasional Use Notices
- Permits
  - Family Entertainment Centre Gaming Machine Permits;
  - Club Gaming Permits;
  - Club Gaming Machine Permits;
  - Alcohol licensed premises Gaming Machine Permits;
  - Prize Gaming Permits;
- Registrations
  - Registrations of Small Society lotteries.

## 3. LICENSING OBJECTIVES

3.0.1 When exercising its functions under the Act the licensing authority must seek to promote the three **licensing objectives** contained in the Act. The three objectives are:

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

### 3.1 OBJECTIVE 1: PREVENTING GAMBLING FROM BEING A SOURCE OF CRIME AND DISORDER

3.1.1 The licensing authority will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder.

3.1.2 The Guidance for local authorities notes that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.” The licensing authority agrees with this statement.

3.1.3 Applicants are encouraged to discuss the crime prevention procedures in their premises, along with gambling harm reduction measures with the licensing authority Licensing Officers and/or the North Wales Police before making a formal application.

3.1.4 In considering licence applications, the licensing authority will particularly take into account the following:

- The design and layout of the premises;
- The training given to staff in crime prevention measures appropriate to those premises;
- Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- Where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;
- The likelihood of any violence, public order or policing problem if the licence is granted.
- Relevant updates on local crime trends from North Wales Police /

#### Community Safety Partnership

- Consider the impact of gambling-related crime on community safety
- Requirement to demonstrate strong management practices and staff training to tackle crime and disorder issues.
- The risk Assessment which has been completed for the specific premises

## 3.2 OBJECTIVE 2: ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

- 3.2.1 Generally, the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the Operating Licence, or will be in relation to the suitability and actions of an individual and therefore subject to the Personal Licence, both of which are the responsibility of the Gambling Commission.

## 3.3 OBJECTIVE 3: PROTECTING CHILDREN AND OTHER VULNERABLE PERSONS

- 3.3.1 With limited exceptions, the access of children and young persons to licensed gambling premises, which are adult only environments, will not be permitted.

3.3.2 The licensing authority will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

3.3.3 The licensing authority will consult with the Social Services Department and Betsi Cadwaladr University Health Board on any application that indicates there may be concerns over access for children or vulnerable, or homeless persons.

3.3.4 The licensing authority will judge the merits of each separate application before deciding whether to impose conditions to protect children or vulnerable people on particular categories of premises. Vulnerable people may include people experiencing mental health issues, individuals facing financial hardship, addiction, or social exclusion

This may include such requirements as:

- Supervision of entrances;
- Segregation of gambling areas from areas frequented by children;
- Proof of age
  - Use of refusal logs to record failed proof of age ID checks

- Conspicuous signage advertising proof of age policy
- Use of till prompts to remind staff to implement proof of age policy
- Supervision of gaming machines in non-adult gambling specific premises.
- Consider the proximity of and concentration of gambling premises, and if they are near schools, youth facilities or services or near to community hubs or treatment services
- Staff training to include drug and alcohol issues
- Promote local and national support services for addressing gambling harms, for example:
  - Implementation of Self-exclusion schemes (GAMSTOP)
  - Records to be maintained of Self- exclusion schemes
  - Provision of information leaflets/ posters/website links and helpline numbers for organisations
- Monitoring outside areas for signs of customer vulnerability for example alcohol and drug use, signs of homelessness, begging, children congregating outside or children of customers left outside unsupervised
- Support safeguarding referrals where concerns are identified
- Maintain records where staff have concerns that a customer’s behaviour may indicate problem gambling
- Where relevant, have regular staff meetings to discuss and identify local vulnerability issues
- Effective staff support systems
- Prohibition of ATMs on the premises

3.3.5 The 2005 Act provides for a Code of Practice on access to casino premises by children and young persons, and where an application has been approved by the Secretary of State; the licensing authority will work closely with the police to ensure the appropriate enforcement of the law.

3.3.6 The licensing authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children but it will assume, for regulatory purposes, that ‘**vulnerable persons**’ includes :

- people who gamble more than they want to;
- people who gamble beyond their means; and
- people who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

## 4. LEGISLATION AND POLICIES

### 4.1 LEGISLATION

4.1.1 In undertaking its licensing function under the Gambling Act 2005, the licensing authority will use a full range of measures including its planning controls and be mindful of legislation, strategies and policies which may impact on the promotion of the licensing objectives. These include, but are not limited to:-

- Equalities Act 2010
- Section 17 of the Crime and Disorder Act 1988;
- Human Rights Act 1998;
- Health and Safety at Work etc. Act 1974;
- Environmental Protection Act 1990;
- The Anti-social Behaviour Act 2003;
- Race Relations Act, 1976 (as amended)
- The Licensing Act 2003
- Regulatory Return (Fire Safety) Order 2005
- The Regulators' Compliance code
- Gwynedd Council's Public Protection Service Enforcement Policy
- Gwynedd Council's Strategic Equality Scheme
- The Well-being of Future Generations Act 2015
- Cyngor Gwynedd's Enforcement Policy

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

### 4.2 PLANNING AND BUILDING CONTROL

4.2.1 Planning, building control and licensing regimes are properly separated to avoid duplication and inefficiency. They involve consideration of different, although related matters.

4.2.2 There are two Local Planning Authorities with statutory planning responsibilities within the county of Gwynedd, namely:

**Gwynedd Council** – which operates within the areas of Arfon, Dwyfor and Meirionnydd that fall outside the Eryri National Park.

**Eryri National Park** - which is an independent Planning Authority and responsible for the whole area falling within its boundaries.

4.2.3 Gwynedd Council's planning policies are set out in the 'Gwynedd Unitary Development Plan' and 'Supplementary Planning Guidance'. The Snowdonia National Park planning policies are set out in the 'Eryri Local Development Plan' and 'Supplementary Planning Guidance'.

4.2.4 The two Planning Authorities work together during the preparation of their respective plans to:

- develop complementary and compatible policies,
- ensure effective and sustainable long term planning, and
- optimise economic, social and environmental benefits.

4.2.5 In general, planning permissions authorise a broad type of use of a premises, whereas licences are granted for a particular type of activity. A planning permission for an entertainment use, for example may cover activities that can have a wide range of different impacts in the locality. The precise nature of the impacts of the specified activities proposed by an applicant for a premises licence need to be considered when the application is made.

4.2.6 The licensing authority will normally expect that prior to the submission of a licensing application, the appropriate planning permission will have been granted in respect of any premises. However, applications for licences may be made before any relevant planning permission has been sought or granted.

4.2.7 The authority will also normally expect the activity to be authorised by the licence to be a lawful planning use and that any operating hours sought do not exceed those, if any, authorised by the planning permission.

4.2.8 Operating hours granted within the licensing process do not replace any restrictions imposed as a planning condition. Planning conditions will be addressed through the planning process.

# 5. DELEGATION, LICENSING COMMITTEE AND DECISION MAKING

## 5.1 DELEGATION

5.1.1 The licensing authority will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a Sub Committee to deal with them.

5.1.2 Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, for example, those licences and permits where no representations have been made, will be delegated to Council Officers.

5.1.3 The licensing authority will delegate licensing matters to be dealt with by the Central Licensing Sub-Committee and to Officers in accordance with the latest recommended Delegation of Functions specified in guidance issued by the Secretary of State, under Section 182 of the Act. The table shown at **Appendix C** sets out the current agreed delegation of decisions and functions to Licensing Committee, Panels and Officers.

5.1.4 This form of delegation is without prejudice to Officers referring an application to a Panel, a Panel to Full Committee, or Committee to Full Council, if appropriate.

## 5.2 LICENSING COMMITTEE

5.2.1 The Act provides that the functions of the licensing authority, including its determinations are to be carried out by its licensing committee. At Gwynedd Council this committee is referred to as the **Central Licensing Committee** and contains 15 members.

5.2.2 The licensing committee may delegate these functions to sub-committees or in appropriate cases, to officials supporting the licensing authority.

- 5.2.3 The Central Licensing Committee of Gwynedd Council have appointed a **Central Licensing Sub-Committee** to deal with
- Applications where there are relevant representations
  - Applications to review premises licence
  - Applications for club gaming/club machine permits where there are relevant representations
  - Decision to give a counter notice to a Temporary Use Notice.

5.2.4 The Sub-Committee contains 3 members who will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward councillors will not sit on a sub-committee involving an application within their ward.

5.2.5 Where a councillor who is a member of the **Central Licensing Committee** is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.

5.2.6 The Central Licensing Sub-Committee will refer to the Central Licensing Committee any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

5.2.7 The Central Licensing Committee will refer to the full Council any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

## 5.3 DECISION MAKING

- 5.3.1 Every determination of a licensing decision by the Central Licensing Committee or Sub-committee shall be accompanied with clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the Applicant and those who have made relevant representations as soon as practicable.
- 5.3.2 A summary of the decision shall be posted on the Council's website as soon as possible after the decision has been confirmed, where it will form part of the statutory licensing register required to be kept by the licensing authority.
- 5.3.3 The Council's licensing officers will deal with all other licence applications where either no representation have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.
- 5.3.4 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the licensing committee or panels. Where representations are rejected written reasons as to why that is the case will be given.
- 5.3.5 In order to avoid duplication with other statutory regimes as far as possible the licensing authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

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## 6. GENERAL PRINCIPLES

- 6.0.1 Nothing in this 'Statement of Policy' will:
- Undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; OR
  - Override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act.
- 6.0.2 The licensing authority, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different racial groups.
- 6.0.3 The licensing authority shall aim to permit the use of premises for gambling in so far as they think it is
- In accordance with any relevant code of practice under Section 24 of the Act;
  - In accordance with any relevant guidance issued by the Commission;
  - Reasonably consistent with the licensing objectives
  - In accordance with the licensing authority's statement of licensing policy.
- 6.0.4 Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence under the Act.

### 6.1 COMPETENT AUTHORITY FOR PROTECTION OF CHILDREN FROM HARM

- 6.1.1 The licensing authority, designates the Social Services Department of Gwynedd Council as the competent authority to provide advice on the protection of children from harm given the wealth of specialist knowledge and expertise to hand to fulfil this role.
- 6.1.2 The Act indicates each licensing authority must nominate a single body to undertake this function but it may be prudent for the licensing authority to involve other organisations if it believes it is right to do so for the prevention of their physical, moral or psychological harm, especially where it receives representations to that effect.

## 6.2 INTERESTED PARTIES

- 6.2.1 For the purposes of the Gambling Act 2005, a person is an interested party in relation to a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:
- 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; this could also include, for example, trade associations, charities, faith groups, medical practices and the local health Board.
  - Represents persons who satisfy either of the above; for example Residents' and Tenants' Associations.
- 6.2.2 When considering whether a person is an interested party, each case will be judged on its merits taking into consideration the relevant circumstances, including those contained in the Guidance to local authorities.
- 6.2.3 Where a person, whether or not directly affected by an application or living in the vicinity of a licensable premise under consideration, puts themselves forward as representing the interests of residents in the vicinity, the licensing authority will normally ask them to provide evidence that they are acting as representatives of others.

## 6.3 EXCHANGE OF INFORMATION

- 6.3.1 In fulfilling its functions and obligations under the Gambling Act 2005 the licensing authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information the licensing authority will conform to the requirements of the Gambling Act, Data Protection and Freedom of Information legislation in accordance with the Council's existing policies.
- 6.3.2 Contact details of those persons making representations and details of the representations will be made available to applicants to allow for negotiation and, in the event of a hearing being held, will form part of a public document. Anyone making representation or applying for a review of a premises licence will be informed that these details will be disclosed.

## 6.4 INSPECTION AND CRIMINAL PROCEEDINGS

- 6.4.1 The licensing authority will be guided by the Gambling Commission's Guidance and will endeavour to be:
- **Proportional:** regulators will only intervene when necessary; remedies will be appropriate to the risk posed and costs identified and minimized.
  - **Accountable:** regulators will be able to justify decisions and be subject to public scrutiny.
  - **Consistent:** rules and standards will be joined up and implemented fairly.
  - **Transparent:** regulators will be open and endeavour to keep regulations simple and user friendly;
  - **Targeted:** regulation will be focused on the problem and minimize side effects.
- 6.4.2 The licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 6.4.3 The licensing authority recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:
- Planning controls;
  - Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments;
  - Regular liaison with the Police on law enforcement issues regarding disorder and anti-social behaviour;
  - The power of the police, other responsible authorities or a local resident or business to seek a review of the licence.
- 6.4.4 This licensing authority has adopted a risk based inspection programme, i.e. those premises considered to pose a greater risk will be subject to more frequent inspections than those posing a lower risk.
- 6.4.5 When determining risk, consideration will be given to :-
- the nature of the gambling activities carried out on the premises
  - the location of the premises in relation to schools, treatment services, homeless accommodation, mental health facilities and local demographic data including deprivation etc.
  - the procedures and **local risk assessments** put in place by the management to meet the licensing objectives.
- 6.4.6 The licensing authority will make arrangements to monitor premises, undertake inspections and take appropriate enforcement is deems necessary to support and promote the licensing objectives or following receipt of complaint. The district will be monitored for unlicensed premises.

6.4.7 The licensing authority will seek to work actively with the police in enforcing licensing legislation. It encourages the police to share information about licensees and licensed premises under the Crime and Disorder Act 1998.

6.4.8 In general terms, action will only be taken in accordance with the Public Protection Service Enforcement Policy. To this end the key principles of consistency, transparency and proportionality will be maintained.

6.4.9 Where conditions have been imposed on a licence, an authorised person of the licensing authority may inspect the premises at any reasonable time for the purpose of checking that those conditions are being complied with.

6.4.10 The licensing authority will consider issuing a written informal warning to a licence holders specifying recommended improvement within a particular period of time if it deems necessary to support and promote the licensing objectives.

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## 7. LICENSING PROCESS

- 7.0.1 **Applicants are advised that the application process for each type of authorisation or permission is set out in detail in the Act, the Regulations and the Guidance.**
- 7.0.2 Applications must be made on the prescribed or local form, and be accompanied by a fee. All prescribed forms and notices can be downloaded from the Commission's website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).
- 7.0.3 All local application forms are available in both the Welsh and English language, and are available to download from the licensing authority's website. A request for an application form may also be made directly to the licensing authority via telephone 01766 766000.
- 7.0.4 Applicants may submit applications electronically to the licensing authority by hardcopy or via email to [Licensing@gwynedd.gov.uk](mailto:Licensing@gwynedd.gov.uk).

### 7.1 APPLICATIONS

- 7.1.1 The starting point in determining applications will be to grant the application, without conditions.
- 7.1.2 Conditions will only be considered where they are needed to meet the requirements of the licensing objectives and any conditions applied will not be overly onerous and will be proportionate to the scale of the application and the 'risks' involved. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.
- 7.1.3 When determining an application to grant a premises licence or whether to review a premises licence, regard will be given to
- the proximity of the premises to schools, vulnerable adult centres, children play amenities or to residential areas with a high concentration of families with children, and
  - the size and scope of the gambling premises concerned.
- 7.1.4 **Each case will be determined on its own merits.** Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

- 7.1.5 Where there are no **relevant representations** from Responsible Authorities or Interested Parties to an application the licence will be granted provided that the application is made in accordance with the requirements of the Act. For representations to be relevant they must
- relate to the promotion of one of the three licensing objectives;
  - be made by a responsible authority or interested party within the prescribed period;
  - not been withdrawn; and
  - they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
- 7.1.6 Where relevant representations on an application are received and the application has been made in accordance with the requirements of the Act, any non-compliance with other statutory requirements may be taken into account in reaching a decision about whether to grant a licence.

## 7.2 MEDIATION

- 7.2.1 Where a relevant representation concerning the licensing objectives is made by a responsible authorities or interested party, the licensing section will decide whether the representation is relevant.

7.2.2 Where the licensing authority find the representation to be relevant it may recommend a **mediation meeting** to address and clarify the issues of concern.

7.2.3 This process will not override the right of an applicant or interested party to decline to participate in a mediation meeting.

7.2.4 If this informal process is unsuccessful a hearing before the licensing committee or sub-committee will follow. All relevant parties will be notified.

7.2.5 The determination of the application will be made by the licensing committee or sub-committee and the details of that decision will be circulated to the parties concerned.

## 7.3 CONDITIONS

- 7.3.1 The Act and regulations provide for specific conditions to be attached to a Premises Licence as either “**mandatory**” or “**default**” conditions.
- 7.3.2 Section 169 of the Act gives licensing authorities the power to impose default conditions on premises licences that they issue.
- 7.3.3 When considering any conditions to be attached to licences, the licensing authority will consider the local circumstances and risks associated with specific premises or class of premises, which might give rise to the need for conditions.

7.3.4 The licensing authority will not impose any conditions unless its discretion has been engaged following the making of a relevant representation and it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised. It will then only impose such conditions which are appropriate and proportionate to promote the licensing objectives arising out of the consideration of the representations.

7.3.5 Conditions on premises licences will relate only to gambling, as considered appropriate in light of the following principles:

- Must be proportionate to the circumstance which they are seeking to address;
- Should be relevant to the need to make the proposed building suitable as a gambling facility;
- Should be directly related to the premises (including the locality and any identified local risks) and the type of licence applied for;
- Should be fairly and reasonably related to the scale and type of premises;
- Should be reasonable in all other respects.

## 7.4 REVIEWS

- 7.4.1 At any time following the grant of a premises licence a **responsible authority** or any **interested party** may ask the licensing authority to review the premises licence because of a matter arising at the premises in connection with any of the three licensing objectives.
- 7.4.2 The review process represents a key protection for the community where problems associated with the licensing objectives occur at a premises.
- 7.4.3 In every case, an application for a review must relate to a particular premises and **must be relevant to the promotion of one or more of the licensing objectives.**

- 7.4.4 Grounds for a review may be that activities, including but not limited to the following, are taking place at the premises:
- Use of licensed premises for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crimes;
  - Use of licensed premises for the sale and distribution of illegal firearms;
  - Use of licensed premises for prostitution or the sale of unlawful pornography;
  - Use of licensed premises as a base for organised criminal activity;
  - Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;
  - Use of licensed premises for the sale of smuggled tobacco or goods;
  - The use of licensed premises for the sale of stolen goods.
  - Children and/or vulnerable persons are put at risk.

7.4.5 The licensing authority will reject an application for a review if the applicant fails to provide supporting information and documents that one or more of the licensing objectives are not being met or if the reason for the review does not relate to the licensing objectives.

- 7.4.6 The licensing authority will also reject an application for a review if
- the grounds are frivolous;
  - the grounds are vexatious;
  - the grounds are irrelevant;
  - the grounds will not cause the Council to revoke or suspend a licence or to remove or attach conditions on the Premises Licence;
  - the grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or
  - the grounds are substantially the same as representations made at the time the application for a Premises Licence was considered.

7.4.7 The licensing authority considers it good practice for all responsible authorities that have concerns about problems identified at premises to give licence holders early warning of their concern and the need for improvement, and where possible they should advise the licence holder of the steps they need to take to address those concerns.

## INITIATION OF REVIEW BY LICENSING AUTHORITY

7.4.8 A Premises Licence may also be reviewed by the licensing authority on its own volition.

7.4.9 Prior to discharging its power to initiate a review, the licensing authority will attempt to have constructive discussions with the operators about any concerns and may ask the operator to provide the licensing authority with its own **risk assessment** which sets out the controls it has put in place to mitigate risks.

## 8. LOCAL STANDARDS

### 8.1 PREMISES LICENCES

8.1.1 Premises Licences can authorise the provision of gambling facilities on

- Casinos;
- Bingo Premises;
- Betting Premises, including Tracks;
- Adult Gaming Centres (AGC); and
- Family Entertainment Centres.

By distinguishing between premises types, the Act makes it clear that gambling activity of the premises should be linked to the premises described. **The Act does not permit premises to be licensed for more than one of the above activities.**

8.1.1 An application for a Premises Licence can only be made by persons (which includes companies or partnerships):

- Who are aged 18 or over, **and**
- Who have the right to occupy the premises and
- Who have an Operating Licence authorising him to carry out the proposed activity **OR** who have applied for an Operating Licence to allow them to carry out the proposed activity.

**The premises licence cannot be determined until an operating licence has been issued.**

8.1.2 The exception to this is an applicant for a premises licence to allow a track to be used for betting, as these applicants are not required to hold an operating licence if they merely provide space for other people to provide betting (and those other people hold valid betting operating licences).

8.1.3 The licensing authority strongly encourages applicants to discuss proposed applications with a licensing officer and responsible authorities at an early stage and prior to the submission of the application itself. This should identify potential problems and help to build good partnership working. It may also reduce the need for a hearing at a later stage.

8.1.4 Applicants are encouraged to make themselves aware of any relevant planning and transport policies, tourism and cultural strategies and local crime and disorder strategies, and to take these into account, where appropriate, in the formulation of their operating schedules.

- 8.1.5 The licensing authority will expect all applicants to specify the methods by which they will promote the three licensing objectives in their operating schedules, having regard to the type of premises, the licensable activity proposed, the operational procedures, the nature of the location and the needs of the local community.
- 8.1.6 The authority considers that a well-drawn, specific operating schedule indicates that an applicant understands and is prepared to meet the responsibilities of a licence holder under the Act.
- 8.1.7 The authority considers that a blank or sparsely completed operating schedule, and no local risk assessment may give the impression that the applicant has given inadequate thought to the responsibilities of a licence holder.

- 8.1.9 Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence under the Gambling Act 2005.

## CASINOS

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- 8.1.10 There is no resolution to prohibit casinos in Gwynedd at present. However, the licensing authority reserves its right to review this situation and may, at some time in the future, resolve not to permit casinos. Currently there are no casinos operating within Gwynedd.
- 8.1.11 Should the licensing authority choose to make such a resolution, this will be a resolution of Full Council following considered debate and the reasons for making the resolution will be provided. There will be no right of appeal against such a resolution.

## BINGO PREMISES

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- 8.1.12 Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood:
- Cash bingo, where the stakes paid make up the cash prizes that are won
  - Prize bingo, where various forms of prizes are won, not directly related to the stakes paid.
- 8.1.13 The licensing authority will attach mandatory and default conditions to all Bingo Premises licences.

## BETTING PREMISES

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- 8.1.14 The licensing authority is responsible for issuing and monitoring premises licences for all betting premises.
- 8.1.15 The licensing authority will attach mandatory and default conditions to all Betting Premises licences.

## TRACKS

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- 8.1.16 The Act does not give a list of premises that are officially recognised as ‘tracks’ but there are a number of venues where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities. Examples of tracks include
- A horse racecourse
  - A greyhound track
  - A point-to-point horserace meeting
  - Football, cricket and rugby grounds
  - A golf course
  - Venues hosting darts, bowls or snooker tournaments.
  - Motor racing tracks or similar

8.1.17 The licensing authority will determine what constitutes a sporting event or race on a case by case basis.

## ADULT GAMING CENTRES (AGC)

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- 8.1.18 Applicants for an Adult Gaming Centre Premises Licence must hold a ‘Gaming Machines General Operating Licence (Adult Gaming Centre)’ from the Gambling Commission before the premises licence can be determined.
- 8.1.19 The licensing authority will attach mandatory conditions to all AGC Premises licences.

## FAMILY ENTERTAINMENT CENTRES (FEC)

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- 8.1.20 Applicants for a Family Entertainment Centre Premises Licence must hold a ‘Gaming Machines General Operating Licence (Family Entertainment Centre)’ from the Gambling Commission before the premises licence can be determined.
- 8.1.21 Licensed Family Entertainment Centres (FECs) are commonly located at seaside resorts, in airports and at motorway service stations, and cater for families, including unaccompanied children and young persons. They are permitted to make available category C and D gaming machines.
- 8.1.22 Children and young persons are not permitted to use category C machines and it is a requirement that there must be clear segregation between the types of machines so that persons under 18 years of age do not have access to them.

8.1.23 The licensing authority will take into account the policies, and Local risk assessment and procedure proposed by the applicant to protect children and young persons when considering applications for FEC Premises licences .

- 8.1.24 The licensing authority will attach mandatory conditions to all FEC Premises licences.

## 8.2 NOTICES

### TEMPORARY USE NOTICES (TUN)

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- 8.2.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 8.2.2 The licensing authority can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.
- 8.2.3 There are a number of statutory limits as regards temporary use notices.

- 8.2.4 In considering whether a place falls within the definition of "a set of premises", the licensing authority will look at, amongst other things, the ownership/occupation and control of the premises.
- 8.2.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the gambling commission's guidance to licensing authorities.

### OCCASIONAL USE NOTICES (OUN)

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- 8.2.6 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## 8.3 PERMITS

- 8.3.1 Permits are designed as a light-touch approach to low level ancillary gambling. The permits regulate gambling and the use of gaming machines in specific premises.
- 8.3.2 The licensing authority are responsible for issuing
- Family Entertainment Centre Gaming Machine Permits; ( Un-licensed entertainment centre)
  - Club Gaming Permits and Club Gaming Machine Permits;
  - Alcohol-licensed premises Gaming Machine Permits;
  - Prize Gaming Permits.
- 8.3.3 The licensing authority will grant or reject an application for a permit. **No conditions may be attached to a permit.**
- 8.3.4 In addition, the licensing authority are responsible for receiving notification from holder of alcohol licences under the Licensing Act 2003 that they intend to exercise their automatic entitlement to 2 gaming machines in their premises.
- 8.3.5 See **Appendix D** for further information regarding the categories of gaming machines allowed by permit and information regarding stakes and prize limits.

8.3.6 When determining applications for permits the licensing authority will consider any convictions held by the applicant that would make them unsuitable to operate the premises plus the suitability of the premises in relation to their location and issues about disorder.

### FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMIT

- 8.3.7 Unlicensed Family Entertainment Centres are able to offer only category D machines on a gaming machine permit. Any number of category D machines can be made available.
- 8.3.8 An application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an unlicensed Family Entertainment Centre and, if the applicant is an individual, is aged over 18 years.
- 8.3.9 The permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application.

8.3.10 There is no prescribed application form for this permit however the licensing authority have created a **local application form** for this purpose. A plan for the unlicensed Family Entertainment Centre must be submitted with each application.

## CLUB GAMING PERMITS AND CLUB GAMING MACHINE PERMITS

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- 8.3.11 The licensing authority may grant members clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the provision of gaming machines, equal chance gaming and games of chance as prescribed in regulations.
- 8.3.12 If a members' club or minter's welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply for a club gaming machine permit using the prescribed form.
- 8.3.13 Holders of club gaming permits and club gaming machine permits are required to comply with the code of practice issued by the Gambling Commission on the location and operation of machines.

## ALCOHOL-LICENSED PREMISES GAMING MACHINE PERMITS

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- 8.3.14 The licensing authority may issue holders of alcohol licences under the Licensing Act 2003 a gaming machine permit which permits any number of Category C or D machines in licensed premises.
- 8.3.15 The application must be made by the person that holds the alcohol premises licence issued under the Licensing Act 2003.
- 8.3.16 The licensing authority may vary the number and category of gaming machines authorised by the permit if it considers it necessary to promote the licensing objectives.
- 8.3.17 Holders of licensed premises gaming machine permits are required to comply with the code of practice issued by the Gambling Commission on the location and operation of machines.
- 8.3.18 There is no prescribed form for this permit however the licensing authority have created a **local application form** for this purpose.

## PRIZE GAMING PERMITS

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- 8.3.19 The licensing authority may issue prize gaming permits to authorise the provision of facilities for gaming with prizes on specific premises.
  - 8.3.20 The application must be made by the person who occupies or plans to occupy the premises and if the applicant is an individual, must be aged 18 or over.
  - 8.3.21 Applicants are asked to set out the types of gaming that they are intending to offer in their application.
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8.3.22 There is no prescribed form for this permit however the licensing authority have created a **local application form** for this purpose.

## 8.4 REGISTRATIONS

8.4.1 The Act denotes 'local authorities' as being responsible for registering societies to run **Small Society Lotteries**, as opposed to licensing authorities. In the interest of consistency, Gwynedd Council being the local authority defined under Section 25 of the Act will be referred to as the licensing authority in this document.

8.4.2 Applications for small society lottery registrations must be in the form prescribed and be accompanied by both the required registration fee and all necessary documents required by the licensing authority.

8.4.3 The process and principles for refusing registration is in accordance to the Gambling Commission's 'Gambling Act 2005 – Guidance to Local Authorities'

8.4.4 The licensing authority will require applicants to provide a copy of their terms and conditions and their constitution to establish that they are a non-commercial society.

## 8.5 LOCAL RISK ASSESSMENTS

8.5.1 The Gambling Commission's '**Licence Conditions and Codes of Practice**' (LCCP) formalise the need for operators to consider local risks.

8.5.2 The Social Responsibility code 10.1.1 requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking a risk assessment, licensees must take into account the matters identified in this statement of policy.

8.5.3 A local risk assessment must be undertaken when applying for a new premises licence and must be updated

- When applying for a variation of a premises licence;
- To take account any significant changes in local risks;
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

8.5.4 The licensing authority will expect every risk assessment to cover the following broad headings:

- Reference to any specific local risks
- How the operator proposes to mitigate these risks
- How the operator will monitor the risks

8.5.5 The **Local risks** identified by the licensing authority include, but are not restricted to:

- The proximity of the premises to sensitive establishments such as schools, vulnerable adult centres (including Community Hubs), children's leisure amenities, substance misuse treatment services, mental health support services or to residential areas with a high concentration of families with children.
- The nature of the gambling activities and category of gaming machines made available at the premises.
- Any age restrictions and segregation requirements at the premises necessary for the protection of children and young persons.
- The prevalence of vulnerable persons in the locality of the premises.
- Levels of deprivation in the area.

8.5.6 Operators are required to undertake a specific Risk Assessment for the premises, and ensure it is made available to Licensing authorities when an application is made. A copy must be kept at the premises, or otherwise it is made available upon request. This will be included as a part of the Council's inspection arrangements, and will be considered during the investigation of any complaints.

- 8.5.6 A **Local Area Profile of Gwynedd**, i.e. an assessment of the key characteristics of the area, has been prepared by the licensing authority and is available as **Appendix A**.
- 8.5.7 Although there is no statutory requirement on licensing authorities to prepare a local area profile, it has been prepared so that operators may have a better awareness of Gwynedd and its risks.
- 8.5.8 The licensing authority encourage all operators to consider the information provided in the 'Local Area Profile of Gwynedd' when preparing their local risk assessments.

## 9. COMPLAINTS AGAINST LICENSED PREMISES

- 9.0.1 The licensing authority will investigate complaints against licensed premises in relation to matters concerning the licensing objectives. In the first instance, complainants are encouraged to raise the complaint directly with the licensee or business concerned to seek a local resolution.
- 9.0.2 Where an interested party has made a complaint about licensed premises, or a valid application for a licence to be reviewed, the Council may initially recommend a conciliation meeting to address and clarify the issues of concern.
- 9.0.3 This process will not override the right of any interested party or for any licence holder to decline to participate in a conciliation meeting.
- 9.0.4 Due consideration will be given to all complaints unless they are considered to be frivolous, vexatious or repetitious.

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# 10. FURTHER INFORMATION

## 10.1 GAMING MACHINES

- 10.1.1 The licensing authority notes that the term “Gaming Machine” covers all machines on which people can gamble and the term has only been preserved in the Act because it is one that is readily understood.
- 10.1.2 The definition of “gaming machines” is wider in the Gambling Act 2005 than those in previous gaming legislation and covers all types of gambling activities which can take place on a machine, including betting on virtual events.
- 10.1.3 It should be noted however that there still remains a distinction between skill machines and gaming machines plus important exemptions remain for certain equipment that is not considered a gaming machine, even when gambling can be performed on it, for example a home personal computer.
- 10.1.4 In order for a premises to site gaming machines an authorisation is normally required. Typically this is
- An operating licence from the Commission **and** a gambling premises licence from the licensing authority;
  - An alcohol premises licence, or
  - A gaming machine permit.
- 10.1.5 Where the licensing authority is concerned regarding the manufacture, supply, installation, maintenance or repair of gaming machines, or the manner in which they are operating will contact the Commission for guidance.
- 10.1.6 Regulations define four categories of gaming machine: categories A, B, C and D with category B divided into five further sub-categories. The maximum number of machines permitted varies according to the premises type.
- 10.1.7 There is no minimum age for players of Category D gaming machines however players of category A, B and C gaming machines must be aged 18 years or above.
- 10.1.8 See **Appendix D** for further information regarding machine categories and entitlements.

## 10.2 LICENSING REGISTER

- 10.2.1 Under the Act, every licensing authority is required to keep a **licensing register** containing
- a record of each premises licence, club premises certificate and personal licence issued by it,
  - a record of each temporary event notice received by it,
  - a record of every other applications made to it, notices given to it and any counter notice given by it, and
  - such other information as may be prescribed by regulations.
- 10.2.2 The information contained in the licensing register will be made available for inspection by the public during office hours, free of charge, and a copy of that information may be supplied on request (for a fee).
- 10.2.3 A summary of the information contained in the licensing register is available to view online at [www.gwynedd.llyw.cymru](http://www.gwynedd.llyw.cymru)

10.2.4 Any person wishing to view the licensing register in person should contact the licensing authority by email [Licensing@gwynedd.llyw.cymru](mailto:Licensing@gwynedd.llyw.cymru) or via telephone 01766 766000 to arrange an appointment.

10.2.5 To ensure that the information contained in the register is presented in an appropriate format, any person wishing to view the register in person will be requested to clarify which part of the register they wish to have available during the appointment.

## 10.3 DATABASE OF PREMISES RECORDS

- 10.3.1 A database of premises licences is available on the Commission's website and consists of information submitted by licensing authorities. The Commission's website address is [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) .

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## APPENDIX A: LOCAL AREA PROFILE OF GWYNEDD

### INTRODUCTION

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The purpose of this **Local Area Profile of Gwynedd** is to provide an assessment of the key characteristics of the county so that operators of licensed gambling premises may have a better understanding and awareness of Gwynedd and its risks.

Although there is no statutory requirement on licensing authorities to prepare a local area profile, it is hoped that the information provided will assist operators when preparing their local risk assessments for licensed gambling premises.

This document provides an assessment of:

- An overview of the Gwynedd area
- Population and demographic characteristics
- Deprivation and the Local Economy
- Housing and the Local Environment
- Culture, Language and Community
- Health and vulnerability considerations
- Tourism and Seasonal changes in the Population
- Gambling Harms
- Vulnerable people in Gwynedd
- The Licensed Gambling Premises in Gwynedd;
- The Sensitive Establishments in Gwynedd; and

### AN OVERVIEW OF THE GWYNEDD AREA

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Gwynedd is a county in north-west Wales, covering one of the largest geographic areas in Wales at about 2,535 km<sup>2</sup>. It is the second largest local authority area by land in Wales and among the most sparsely populated.

The area includes:

- Eryri (Snowdonia) National Park, with mountainous terrain including Yr Wyddfa, the highest mountain in Wales.
- The Llŷn Peninsula, noted for its scenic coastline and rural communities.
- Numerous coastal settlements and inland valleys.

Major towns and urban centres include Bangor (City of Bangor where Bangor University is located), Caernarfon, Bethesda, Blaenau Ffestiniog, and Pwllheli.

The county contains a strong Welsh language presence, with the highest proportion of Welsh speakers in Wales (over 64%).

## POPULATION & DEMOGRAPHIC CHARACTERISTICS

- Total population: Approximately 120,813 (mid-2024 ONS estimate).
- Population trend: The population declined slightly between 2011 and 2021 but has increased 2.8% between 2019 and 2024.
- Average age in 2024 was 44
- Density: Very low compared with Wales overall – 48 people per km<sup>2</sup> (average of all local authorities in Wales being 580 people per km<sup>2</sup>)

Age structure (mid-2024):

- 0-15 years: 15.7%
- 16-64 years: 60.9%
- 65 years and over: 23.4%

### Relevance to the Policy:

- Areas with older age profiles may face distinct social vulnerabilities (e.g., isolation, limited access to services).
- Youth and working age groups remain significant, particularly around Bangor (education and employment hub).

## ECONOMIC ACTIVITY & EMPLOYMENT

Employment & labour market:

- Employment rate: 74.6% (ages 16-64).
- Unemployment rate: 3.5%, slightly lower than Wales overall.
- Economic inactivity slightly above national levels, reflecting retirement, care responsibilities, or long-term sickness.

Industry & economy:

- Major employment sectors include health and social work alongside tourism, retail and education (28% of the workforce working in Education and Health).
- Average median salary for full-time workers is lower than many parts of Wales and the U.K.

### Relevance to the Policy:

- Economic inactivity and lower income levels can lead to an increase in financial difficulties and vulnerability to problem gambling.
- Employment tied to seasonal sectors and tourism may create additional pressures and financial instability.

## DEPRIVATION & LOCAL ECONOMY

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While Gwynedd does not have widespread severe deprivation, there are areas within the most deprived decile for certain indicators such as health and community safety.

Some local economic challenges include:

- A gap between local economic performance and the wider Welsh/UK economy.
- Lower average incomes and higher part-time or seasonal work.
- 24.6% of Children living in relative poverty, higher than Wales average of 18.9% (ONS, 2024)

**Relevance to the Policy:**

- Deprivation and economic challenges are recognised risk factors for gambling harm and financial difficulties.

## HOUSING & LOCAL ENVIRONMENT

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Average house prices in Gwynedd remain below national averages for England but can be high relative to local incomes with some evidence of young people moving from the area due to housing availability/ affordability.

Gwynedd has also seen policy focus on second homes and holiday lets, highlighting housing affordability issues that can affect community cohesion and economic resilience.

## CULTURE, LANGUAGE & COMMUNITY

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Gwynedd is a cultural stronghold of the Welsh language and heritage:

- Among the highest proportions of Welsh speakers in Wales (over 64% of the population aged 3+).
- Bilingual education and community life are prominent features.

**Relevance to the Policy:**

- Cultural identity and community networks can serve as both protective and vulnerability factors in understanding behaviours including gambling patterns.

## HEALTH & VULNERABILITY CONSIDERATIONS

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- Ageing population: Gwynedd's population is ageing more rapidly than many areas, with a notable share of older adults.
- Rural isolation: Rural parts of the county face significant challenges in relation to transport and access to services.

### Relevance to the Policy:

- Ageing, social isolation, and limited access to health and support services may increase risk of harm from gambling, particularly in rural communities.
- Gambling activity has also been linked to several issues such as higher instances of substance use (Cowlshaw, Merkouris, Chapman & Radermacher, 2014), greater likelihood of perpetrating domestic violence (Afifi, Brownridge, MacMillan & Sareen, 2010. Dowling et al., 2016), greater risk of homelessness (Lipmann, Mirabelli & Rota-Bartelink, 2004. Holdsworth & Tiyce, 2012), and psychological disorders, specifically anxiety and depression (Suomi, Dowling & Jackson, 2014).

## TOURISM & SEASONAL POPULATION CHANGE

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Tourism is a key economic component:

- Eryri and coastal areas attract seasonal visitors.
- Bangor sustains student and visitor populations year-round.

### Relevance to the Policy:

- Seasonal influxes and night-time economy activity (especially around Bangor and coastal towns) can influence patterns of gambling participation.

## **GAMBLING HARMS**

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- Gambling harms are the negative effects of gambling on the health and wellbeing of individuals, families, communities, and society, both in the short and long term.
- Estimating how many people are affected by gambling and the extent of these harms is difficult. A 2019 report by Public Health Wales, Bangor University, and Swansea University found that 3% of Welsh adults were “at-risk” gamblers and 1% were “problem” gamblers. Groups most likely to experience gambling harms include those already facing social or economic inequalities, such as people who are unemployed, on low incomes, from Black and minority ethnic backgrounds, or with mental health issues.
- Research also shows that people harmed by gambling often face other health and social problems. For example, nearly 6 in 10 have a substance misuse disorder, about 1 in 3 experience domestic violence, and more than a third have a mental health condition.
- Wales has the highest level of problem gambling in the UK. Recent data shows 63% of adults gambled in the past year, with lotteries and scratch cards being the most common forms. About 10% of gamblers showed some level of risk on the Problem Gambling Severity Index.
- Among young people, 12% of 11–16-year-olds in North Wales reported spending their own money on gambling in the past week, which is higher than the Wales average and the second-highest rate in the country.

## **PREVALENCE OF VULNERABLE PERSONS IN GWYNEDD**

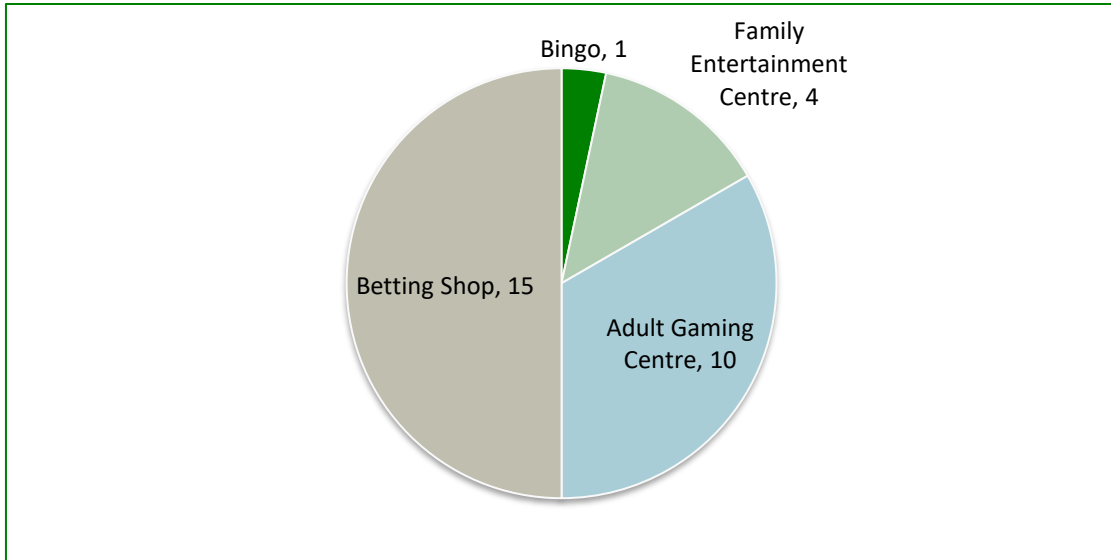
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- One of the objectives of the Gambling Act 2005, is the protection of children and other vulnerable persons from being harmed or exploited by gambling.
- It is illegal for operators to allow children and young persons aged less than 18 years to play certain age restricted games, place a bet or be allowed entry into casinos, betting premises, Adult gaming centres and age restricted area in Bingos, Tracks and Family Entertainment centres.
- The Gambling Commission refers to vulnerable persons as people who may gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability or substance misuse relating to alcohol or drugs.

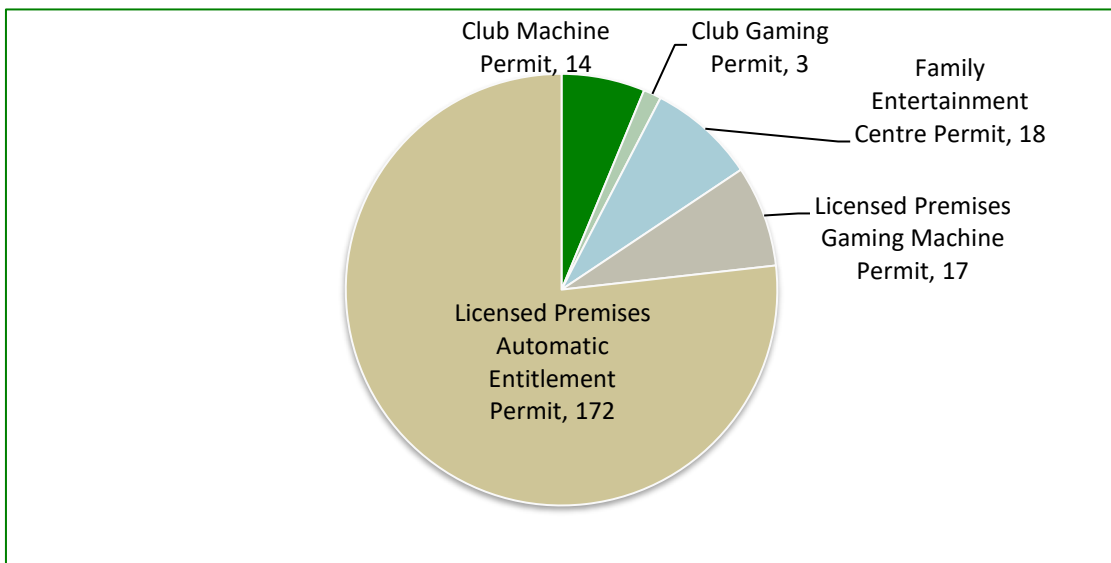
## LICENSED GAMBLING PREMISES IN GWYNEDD

Gwynedd Council currently regulates the gambling activities at 254 premises. Of this total, 30 have a premises licence for gambling and 224 premises are authorised to allow gambling by means of a permit.

**Figure 1 – Breakdown of the 30 Gambling Premises Licences in Gwynedd**



**Figure 2 – Breakdown of the 224 Gambling Permits in Gwynedd**



The majority of the gambling premises are clustered in the more densely populated areas of the county and in the main tourist, coastal regions of the county.

This is reflected in the number of Family Entertainment Centres and Adult Gaming Centres located across the coastal, tourist regions of the county.

## SENSITIVE ESTABLISHMENTS IN GWYNEDD

The proximity of gambling premises to sensitive establishments such as schools, vulnerable adult centres, or to residential areas with a high concentration of families with children is a factor that should be considered by operators when undertaking their local risk assessments.

### Secondary Schools

Area	School	Age Group
Arfon	Ysgol Brynrefail Ffordd Crawia, Llanrug, Gwynedd, LL55 4AD	(11 - 18)
Arfon	Ysgol Dyffryn Nantlle Ffordd Y Brenin, Penygroes, Gwynedd, LL54 6RL	(11 - 18)
Arfon	Ysgol Dyffryn Ogwen Ffordd Coetmor, Bethesda, Gwynedd, LL57 3NN	(11 - 18)
Arfon	Ysgol Friars Lon Y Bryn, Bangor, Gwynedd, LL57 2LN	(11 - 18)
Arfon	Ysgol Syr Hugh Owen Ffordd Bethel, Caernarfon, Gwynedd, LL55 1HW	(11 - 18)
Arfon	Ysgol Tryfan Lon Powys, Bangor, Gwynedd, LL57 2TY	(11 - 18)
Dwyfor	Ysgol Ardudwy Ffordd Glan Mor, Harlech, Gwynedd, LL46 2UH	(11 - 16)
Dwyfor	Ysgol Botwnnog Botwnnog, Gwynedd, LL53 8PY	(11 - 16)
Dwyfor	Ysgol Eifionydd Ffordd Tremadog, Porthmadog, Gwynedd, LL49 9HS	(11 - 16)
Dwyfor	Ysgol Glan-y-Môr Ffordd Caerdydd, Pwllheli, Gwynedd, LL53 5NU	(11 - 16)
Meirionnydd	Ysgol Uwchradd Tywyn Station Road, Tywyn, Gwynedd, LL36 9EU	(11 - 16)
Meirionnydd	Ysgol y Berwyn Heol Ffrydan, Y Bala, Gwynedd, LL23 7RU	(11 - 18)
Meirionnydd	Ysgol y Gader Ffordd Pont Yr Aran, Dolgellau, Gwynedd, LL40 1HY	(11 - 16)
Meirionnydd	Ysgol y Moelwyn Ffordd Wynne, Blaenau Ffestiniog, Gwynedd, LL41 3DW	(11 - 16)

Gwynedd Council currently regulates the gambling activities at 254 premises. Of this total, 30 have a premises licence for gambling and 224 premises are authorised to allow gambling

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## APPENDIX B: GLOSSARY OF TERMS

**Adult Gaming Centre:** licensed gambling premises which can provide gaming machines. Only adults (persons 18 years old or over) can enter an Adult Gaming Centre.

**Betting premises:** licensed gambling premises which can provide betting facilities and gaming machines. Only adults (persons 18 years old or over) can enter Betting Premises unless the premises are on a track.

**Bingo:** there are two types of bingo

**High Turnover Bingo** - Bingo where the aggregate of stakes and prizes in any 7 day period exceeds £2000. High turnover bingo can only take place in casinos and bingo halls.

**Low Turnover Bingo** - (sometimes described as non-high turnover bingo) Bingo where the aggregate of stakes and prizes in any 7 day period is less than £2000. Low turnover bingo can take place in pubs and clubs, and in premises that hold a Prize Gaming Permit or Unlicensed Family Entertainment Centre Gaming Machine Permit.

**Bingo Premises:** licensed gambling premises which can provide high turnover bingo and gaming machines.

**Casino:** there are 3 types of casino that can exist in England and Wales: large, small, or “tiny” (casinos that existed under the old law and have retained their licences under the new law). The differences are based on overall size and the number of machines and gaming tables that can be provided. Casinos can provide casino games (games which are not equal chance gaming and may involve playing against a bank) and bingo as well as gaming machines.

**Child:** For the purposes of the Gambling Act 2005, anyone under the age of 16 years.

**Club:** the 2005 Act recognises 2 types of club: **members clubs** (at least 25 members and established for purposes other than gaming unless it is a bridge or whist club, including Miners Welfare Institutes); and **commercial clubs**. Equal chance gaming can take place without any further permit provided the limits on stakes and prizes are not exceeded. In addition low turnover bingo can take place and if it is a bridge or whist club then bridge or whist can be played.

**Club Gaming Permit:** a permit to enable the premises to provide gaming machines (three machines of Categories B3A, B4, C or D), equal chance gaming and games of chance (limited to pontoon and chemin de fer).

**Club Machine Permit:** a permit to enable the premises to provide gaming machines (three machines of Categories B3A, B4, C or D).

**Conditions:** there are two types of conditions

1. **Default Conditions** – are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the licensing authority.

2. **Mandatory Conditions** – are conditions set by the Secretary of State (some are set out in the Act and some will be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The licensing authority will have no discretion to alter or remove these conditions.

**Crane grab machine:** a non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a machine to separate one or more physical objects from another.

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

**Exempting gambling:** certain specified low-level gambling can take place in private premises, workplaces, pubs and clubs without any requirements for licensing or registration.

**Exempt Lotteries:** certain types of lottery can be run without either a licence from the Gambling Commission or registration with the local authority. They are Incidental Non Commercial Lotteries, Private Lotteries and Customer Lotteries.

**Family Entertainment Centre:** there are 2 types of Family Entertainment Centres: licensed and unlicensed. In both cases children and young persons can enter the premises unaccompanied by adults and use category D machines. Licensed Family Entertainment Centre can provide category C and D machines, but only persons aged 18 or over can use the category C machines. An Unlicensed Family Entertainment Centre can only provide category D machines.

**Fixed Odds Betting:** if a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming'), then it is likely to be betting at fixed odds.

**Fixed Odds Betting Terminals (FOBTs):** FOBTs are a type of gaming machines which generally appear in licensed betting shops. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.

**Gaming:** playing a game of chance for a prize. This includes games of pure chance (or luck), games that have an element of skill and chance combined, and games where "superlative skill" can eliminate the element of chance. Sports are excluded from the definition of Games of Chance.

**Gaming Machine:** a machine used for gambling. There are divided into 8 categories, (A, B1, B2, B3A, B3, B4, C & D) depending on the maximum stakes and maximum prizes. Different categories of machines can be used in different types of licensed gambling premises and under different permits.

**Guidance to Licensing Authorities:** guidance issued by the Gambling Commission.

**Incidental non-commercial lottery:** see Exempt Lotteries above.

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

**Licensed premises Gaming Machine Permit:** allows pubs to have more than 2 gaming machines, provided the main purpose of the premises is to remain a pub, rather than an Entertainment Centre with a bar.

**Licensing authority:** the district, borough or unitary authority responsible for licensing gambling and other activities in the area.

**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:** the 2005 Act recognises 2 types of lottery, a simple lottery or a complex lottery. In both cases players pay to take part and prizes are allocated. In the case of a simple lottery, that allocation is wholly by chance, but in the case of a complex lottery there can be further steps which are not dependent upon chance. Some lotteries are exempt from regulation (see above).

**Occasional Use Notice:** a notice that may only be issued in respect of a track (see below) that permits betting on a track without the need for a Premises Licence.

**Prize Gaming:** gaming in which the nature and size of the prize is not determined by the number of players or stakes, e.g. bingo with non-cash prizes.

**Prize Gaming Permit:** a permit issued by the Licensing Authority allowing prize gaming to take place.

**Pub:** premises that have a premises licence under the Licensing Act 2003 to sell alcohol for consumption on the premises in a bar at which alcohol is served to customers. Pubs can have 2 category C or D gaming machines. If a pub has a Licensed Premises Gaming Machine Permit (see above) it can have more gaming machines.

**Risk Assessments:** the requirement under the Social Responsibility code 10.1.1 for operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks.

**Relevant representations:** are representations made by responsible authorities or interested parties within the prescribed period, that relate to the promotion of at least one of the three

licensing objectives, have not been withdrawn; and, in the opinion of the licensing authority, are not frivolous or vexatious.

**Responsible authority:** public bodies that must be notified of applications and are entitled to make representations to the licensing authority. They include

- the licensing authority in whose area the premises is wholly or partly situated,
- the Gambling Commission,
- the chief officer of police or chief constable for the area in which the premises is wholly or partly situated,
- the fire and rescue authority for the same area,
- the local planning authority for the area in which the premises is wholly or partly situated,
- the relevant authority which has functions in relation to pollution to the environment or harm to human health for the area in which the premises is wholly or partly situated,
- a body, designated by the licensing authority, as competent to advise about the protection of children from harm,
- HM Revenue and Customs
- Any other person prescribed in regulations by the Secretary of State.

**Review:** following the grant of a premises licence a responsible authority or interested party may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the three licensing objectives.

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

**Small Society Lottery:** these are for non-commercial societies (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) who must register their lotteries with the local authority.

**Temporary Use Notice:** a notice that allows limited types of gambling to take place for a limited period on premises that do not have a premises licence.

**Track:** a site where races or other sporting events take place e.g. horse racing, dog racing, athletics, football, motor racing etc.

**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. Fairs can provide prize gaming and category D gaming machines.

**Young Person:** for the purposes of the Gambling Act 2005, anyone who is not a child but is aged under 18.

## APPENDIX C: DELEGATION OF DECISION MAKING

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of the Licensing Authority statement of policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)		X (if delegated by full council)	
Application for premises licences		X Where representations have been received and not withdrawn	X Where no representations received/ representations have been withdrawn
Application for a variation to a licence		X Where representations have been received and not withdrawn	X Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		X Where representations have been received from the Commission or responsible authority	X Where no representations received from the Commission or responsible authority
Application for a provisional statement		X Where representations have been received and not withdrawn	X Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		X Where objections have been made and not withdrawn	X Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

X indicates the lowest level to which decisions can be delegate

## APPENDIX D: GAMING MACHINE SUMMARY

### SUMMARY OF MACHINE PROVISION BY PREMISES

Premises Type	A	B1	B2	B3	B4	C	D
<b>Large casino</b> (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
<b>Small casino</b> (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
<b>Pre-2005 Act casino</b> (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
<b>Betting premises and tracks occupied by Pool betting</b>			Maximum of 4 machines categories B2 to D (except B3A Machines)				
<b>Bingo premises</b>				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	No limit on category C or D machines		
<b>Adult gaming centre</b>				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	No limit on category C or D machines		
<b>Licensed family entertainment centre</b>						No limit on category C or D machines	
<b>Family entertainment centre</b> (with permit)							No limit on category D machines
<b>Clubs or miners' welfare institute</b> (with permits)				Maximum of 3 machines in categories B3A or B4 to D			
<b>Qualifying alcohol-licensed premises</b>						1 or 2 machines of category C or D automatic upon notification	
<b>Qualifying alcohol-licensed premises</b> (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	
<b>Travelling fair</b>							No limit on category D machines

## **SUMMARY OF GAMING MACHINE CATEGORIES AND ENTITLEMENTS**

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The summary of the gambling machines categories and entitlements table have been reviewed, and the current information is now available on the Gambling Commission's website.

### **Gaming machine categories**