

**DYDD MERCHER, 29 IONAWR 2025**

**AT: HOLL AELODAU'R PWYLLGOR TRWYDDEDU**

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R **PWYLLGOR TRWYDDEDU** A GYNHELIR YN **SIAMBR, NEUADD Y SIR, CAERFYRDDIN, SA31 1JP** AM **10.00 YB, DYDD IAU, 6 CHWEFROR, 2025** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA ATODEDIG.

*Wendy Walters*

**PRIF WEITHREDWR**

Swyddog Democrataidd:	Janine Owen
Ffôn (Llinell Uniongyrchol):	01267 224030
E-bost:	JanineOwen@sirgar.gov.uk

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
*County Hall, Carmarthen. SA31 1JP*

# **PWYLLGOR TRWYDDEDU**

## **14 AELOD**

### **Y GRŴP PLAID CYMRU – 8 AELOD**

- |    |              |                                |
|----|--------------|--------------------------------|
| 1. | Y Cynghorydd | Mansel Charles [Cadeirydd]     |
| 2. | Y Cynghorydd | Alex Evans                     |
| 3. | Y Cynghorydd | Tyssul Evans                   |
| 4. | Y Cynghorydd | Ken Howell                     |
| 5. | Y Cynghorydd | Hefin Jones                    |
| 6. | Y Cynghorydd | Jean Lewis                     |
| 7. | Y Cynghorydd | Dorian Phillips [Is-Gadeirydd] |
| 8. | Y Cynghorydd | Elwyn Williams                 |

### **Y GRŴP LLAFUR – 4 AELOD**

- |    |              |              |
|----|--------------|--------------|
| 1. | Y Cynghorydd | Peter Cooper |
| 2. | Y Cynghorydd | Suzy Curry   |
| 3. | Y Cynghorydd | Dot Jones    |
| 4. | Y Cynghorydd | Kevin Madge  |

### **Y GRŴP ANNIBYNNOL – 2 AELOD**

- |    |              |                 |
|----|--------------|-----------------|
| 1. | Y Cynghorydd | Louvain Roberts |
| 2. | Lle Gwag     |                 |

***DYLAI AELODAU FOD YN YMWYBODOL NA CHANIATEIR IDDYNT OFYN I AELODAU O FEWN EU GRWPIAU EU HUNAIN I'W CYNRYCHIOLI MEWN CYFARFODYDD O'R PWYLLGOR YMA***

# AGENDA

- 1. YMDDIHEURIADAU AM ABSENOLDEB.**
- 2. DATGANIADAU O FUDDIANNAU PERSONOL.**
- 3. LLOFNODI YN GOFNOD CYWIR COFNODION CYFARFOD Y PWYLLGOR TRWYDDEDU A GYNHALIWYD AR 23 RHAGFYR 2024** 5 - 8
- 4. ADOLYGIAD O'R POLISI GAMBLO** 9 - 80
- 5. GORCHYMYN I'R CYHOEDD ADAEL Y CYFARFOD**

NI DDYLID CYHOEDDI'R ADRODDIAD SY'N YMWNEUD Â'R MATERION CANLYNOL GAN EU BOD YN CYNNWYS GWYBODAETH EITHRIEDIG FEL Y'I DIFFINIWYD YM MHARAGRAFF 12 O RAN 4 O ATODLEN 12A I DDEDDF LLYWODRAETH LEOL 1972 FEL Y'I DIWYGIWYD GAN ORCHYMYN LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) (AMRYWIO) (CYMRU) 2007 GAN EI FOD YN CYNNWYS GWYBODAETH AM UNIGOLYN PENODOL.

OS BYDD Y PWYLLGOR AR ÔL CYNNAL PRAWF LLES Y CYHOEDD YN PENDERFYNU YN UNOL Â'R DDEDDF, I YSTYRIED Y MATER HYN YN BREIFAT, GORCHMYNNIR I'R CYHOEDD ADAEL Y CYFARFOD YN YSTOD TRAFODAETH O'R FATH.
- 6. CAIS AM DRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT.** 81 - 84

Mae'r dudalen hon yn wag yn fwriadol

## PWYLLGOR TRWYDDEDU

**DYDD LLUN, 23 RHAGFYR 2024**

**PRESENNOL** Cyngorydd J.M. Charles (Cadeirydd)

**Cynghorwyr (Yn y Siambr):**

W.T. Evans                      J.K. Howell                      D. Jones                      H. Jones  
M.J.A. Lewis                      B.D.J. Phillips

**Cynghorwyr (Yn rhithwir):**

S.A. Curry                      K. Madge                      D.E. Williams

**Hefyd yn bresennol (Yn y Siambr):**

Cyngorydd **Error! No document variable supplied.**

**Hefyd yn bresennol (Yn rhithwir)**

Cyngorydd **Error! No document variable supplied.**

**Hefyd yn bresennol (Yn y Siambr):**

S. Martin, Cyfreithiwr  
J. Power, Uwch Swyddog Trwyddedu  
S. Rees, Cyfieithydd Ar Y Pryd  
R. Morris, Swyddog Cefnogi Aelodau  
K. Thomas, Swyddog Gwasanaethau Democraataidd

**Hefyd yn bresennol (Yn rhithwir):**

D. Hall-Jones, Swyddog Cefnogi Aelodau

**Siambr, Neuadd y Sir, Caerfyrddin. SA31 1JP ac o bell - 10.00 - 11.30 yb**

**1. YMDDIHEURIADAU AM ABSENOLDEB.**

Cafwyd ymddiheuriad am absenoldeb gan y Cyngorydd P. Cooper.

**2. DATGANIADAU O FUDDIANNAU PERSONOL.**

Y Cyngorydd	Rhif y Cofnod	Math o Fuddiant
M.J.A. Lewis	8 – Mr Gary Paul Evans – Cais am Drwydded Yrru Ddeuol ar gyfer Cerbyd Hacni/Hurio Preifat.	Mae ganddo gysylltiad â gwraig yr ymgeisydd (noder - daeth yn ymwybodol o'r buddiant ar ôl i'r pwyllgor benderfynu mynd i sesiwn breifat a gadawodd Siambr y Cyngor pan gafodd y mater ei ystyried)

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

**3. LLOFNODI YN GOFNOD CYWIR COFNODION CYFARFOD ISBWYLLGOR TRWYDDEDU 'B' A GYNHALIWDYD AR 15 HYDREF, 2024.**

**PENDERFYNWYD YN UNFRYDOL** lofnodi bod cofnodion cyfarfod Is-bwyllgor Trwyddedu 'B' a gynhaliwyd ar 15 Hydref, 2024, yn gofnod cywir.

**4. LLOFNODI YN GOFNOD CYWIR COFNODION CYFARFOD Y PWYLLGOR TRWYDDEDU A GYNHALIWDYD AR 24 HYDREF, 2024**

**PENDERFYNWYD YN UNFRYDOL** lofnodi cofnodion y Pwyllgor Trwyddedu a gynhaliwyd ar 24 Hydref 2024 yn gofnod cywir.

**5. GORCHYMYN I'R CYHOEDD ADAEL Y CYFARFOD**

**PENDERFYNWYD**, yn unol â Deddf Llywodraeth Leol 1972, fel y'i newidiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007, orchymyn i'r cyhoedd adael y cyfarfod tra oedd yr eitemau canlynol yn cael eu hystyried, gan fod yr adroddiadau'n cynnwys gwybodaeth eithriadig fel y'i diffiniwyd ym mharagraff 12 o Ran 4 o Atodlen 12A i'r Ddeddf.

**6. MRS TRACY MAVIS DIXON - DRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT**

Rhoddwyd gwybod i'r Pwyllgor fod Mrs Tracy Mavis Dixon o 130 Heol Cwmaman, y Garnant, Rhydaman yn meddu ar Drwydded Yrru Ddeuol ar gyfer Cerbyd Hacni/Hurio Preifat gyda'r Awdurdod. Rhoddodd yr Uwch-swyddog Trwyddedu wybod i'r Pwyllgor am yr amgylchiadau a oedd wedi codi mewn perthynas â thrwydded Mrs Dixon.

Bu'r Pwyllgor yn cyfweld Mrs Dixon ynghylch y materion a godwyd gan yr Uwch-swyddog Trwyddedu.

Argymhellodd yr Uwch-swyddog Trwyddedu fod Mrs Dixon yn cael rhybudd ynghylch ei hymddygiad yn y dyfodol.

**PENDERFYNWYD** bod Mrs Dixon yn parhau i ddal ei Thrwydded Yrru Ddeuol ar gyfer Cerbyd Hacni/Hurio Preifat. gyda rhybudd ynghylch ei hymddygiad yn y dyfodol.

Y RHESWM: Ar sail y dystiolaeth a gyflwynwyd, roedd y Pwyllgor yn fodlon bod Mrs Davies yn rhywun addas a phriodol i feddu ar Drwydded.

**7. MR JONATHAN MARVIN DAVIES - CAIS I ADNEWYDDU DRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT**

Bu'r Pwyllgor yn ystyried cais gan Mr Jonathan Marvin Davies o 23 Maes yr Ehedydd, Caerfyrddin am adnewyddu ei Drwydded Yrru Ddeuol ar gyfer Cerbyd Hacni/Hurio Preifat.

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

Dyweddodd yr Uwch-swyddog Trwyddedu wrth y Pwyllgor nad oedd Mr Davies yn bresennol yn y cyfarfod ac aeth ymlaen i roi gwybod am y materion a oedd wedi codi mewn perthynas â'r cais.

Gan gofio nad oedd Mr Davies yn bresennol yn cyfarfod:

**PENDERFYNWYDD Y PWYLLGOR YN UNFRYDOL ohirio cais Mr Jonathan Marvin Davies i'r Pwyllgor Trwyddedu nesaf.**

Y RHESWM: I roi cyfle pellach i Mr Davies fod yn bresennol gerbron y Pwyllgor Trwyddedu.

**8. MR GARY PAUL EVANS - CAIS AM DRWYDDED YRRU DDEUOL CERBYD HACNAI/HURIO PREIFAT**

(NODER: Ar ôl i'r pwyllgor fynd i sesiwn breifat, datganodd y Cynghorydd Jean Lewis fuddiant a gadawodd Siambr y Cyngor ac ni chymerodd ran yn ei ystyriaethau ar ôl iddi ddod yn ymwybodol o gysylltiad â'r ymgeisydd)

Bu'r Pwyllgor yn ystyried cais gan Mr Gary Paul Evans o 18 Parc Gwyn, Trefechan, Caerfyrddin am drwydded yrru ddeuol ar gyfer cerbyd hacni/hurio preifat.

Rhoddodd yr Uwch-swyddog Trwyddedu wybod i'r Pwyllgor am y materion a oedd wedi codi mewn perthynas â'r cais.

Ar hynny bu'r Pwyllgor yn cyfweid â Mr Evans (ynghyd â'r bartner) o ran y cais a'r materion a godwyd gan yr Uwch-swyddog Trwyddedu.

Cafodd y Pwyllgor wybodaeth hefyd gan Heddlu Dyfed-Powys ar y materion a godwyd, a chafodd Mr Evans gyfle i ymateb iddi.

Cyn gwneud argymhelliad i'r Pwyllgor, rhoddodd yr Uwch-swyddog Trwyddedu wybod am gynnwys sylw a ddaeth i law yn cefnogi'r cais. Argymhellodd yr Uwch-swyddog Trwyddedu fod cais Mr Evans yn cael ei wrthod.

Ar hynny

**PENDERFYNODD y Pwyllgor YN UNFRYDOL gynnal sesiwn preifat er mwyn cael cyngor cyfreithiol yn unol â Pharagraff 16 o Atodlen 12A i Ddeddf Llywodraeth Leol 1972.**

**PENDERFYNWYDD, gan y mwyafrif, ganiatáu cais Mr Gary Paul Evans am Drwydded Yrru Ddeuol ar gyfer Cerbyd Hacnai/Hurio Preifat a rhoi rhybudd iddo ynghylch ei ymddygiad yn y dyfodol.**

Y rheswm

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

Ar sail y dystiolaeth a gyflwynwyd, roedd y Pwyllgor yn fodlon bod ei benderfyniad yn unol â pholisi perthnasol y Cyngor ac felly roedd yr ymgeisydd yn rhywun addas a phriodol i feddu ar drwydded.

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**CADEIRYDD**

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**DYDDIAD**

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf



## Y PWYLLGOR TRWYDDEDU

6 CHWEFROR 2025

## ADOLYGIAD O'R POLISI GAMBLO

**YR ARGYMHELLION / PENDERFYNIADAU ALLWEDDOL SYDD EU HANGEN:**  
Atodir crynodeb o'r ymatebion i'r ymgynghoriad.

**Argymhellir :-**

- **Bod y Polisi Gamblo diwygiedig yn cael ei gymeradwyo.**

**Y RHESYMAU:**

Mae'r Polisi Gamblo diwygiedig amgaeedig yn adlewyrchu canlyniadau'r ymgynghoriad a'r broses adolygu ac yn cydymffurfio â deddfwriaeth a chyfarwyddyd perthnasol.

Angen i'r Cabinet wneud penderfyniad

Oes - 17eg o Mawrth 2025

Angen i'r Cyngor wneud penderfyniad

Oes - 9fed o Ebrill 2025

**YR AELOD CABINET SY'N GYFRIFOL AM:**

Y Cynghorydd Aled Vaughan Owen (Aelod Cabinet dros Newid Hinsawdd, Datgarboneiddio a Chynaliadwyedd)

Y Gyfarwyddiaeth:

Cymunedau

Enw Pennaeth y Gwasanaeth

Ian Jones

Awdur yr Adroddiad

Emyr Jones

Swydd:

Pennaeth Hamdden a Diogelu'r  
Cyhoedd

Arweinydd Trwyddedu

Rhifau Ffôn:

Cyfeiriadau E-bost:

01267 228309

ljones@sirgar.gov.uk

01267 228717

eorjones@sirgar.gov.uk

# EXECUTIVE SUMMARY

## LICENSING COMMITTEE

6<sup>TH</sup> FEBRUARY, 2025

### REVIEW OF GAMBLING POLICY

#### Context

The current Gambling Policy was adopted by the authority in March 2022. The legislation requires it to be reviewed at least every three years to ensure that it reflects feedback from the local community that the statutory objectives are being met.

#### Consultation

As part of the review, the authority is required to undertake a consultation exercise aimed at the chief officer of Police, representatives of gambling businesses and persons representing the interests of residents and businesses in the area, in order for their views to be formally considered by the authority. The consultation began on the 27<sup>th</sup> of September 2024 and finished on the 10<sup>th</sup> of November 2024. During the consultation, details of the review, including a link to the online survey was included in the Council's newsletters to Residents, Businesses and Town and Community Councils. Consultation letters were e-mailed to licence holders and their representatives, members of parliament, members of the Senedd, county councillors and responsible authorities. The responsible authorities include, The Licensing Authority, Dyfed Powys Police, Mid and West Wales Fire and Rescue Service, Gambling Commission, Environmental Health (Pollution Section), Planning Authority, HMRC, Children Services.

#### Key issues :-

- No clear evidence that specific areas of the county are suffering with gambling related problems.
- The Gambling Commission have suggested to Licensing Authorities that since the Department for Culture, Media and Sport (DCMS) are currently undertaking a review of the Gambling Act, no significant amendments should be made to Gambling Policies as part of the current review, apart from changes to reflect local issues.

- The authority has liaised with the licensing sections of, Pembrokeshire, Powys and Ceredigion licensing authorities, who are following the above advice from the Gambling Commission in relation to the review of their Gambling Policies.
- The current Gambling Policy review and consultation must be undertaken in order for Licensing Authorities to continue to have a Gambling Policy in force.
- The Gambling Commission have suggested that Licensing Authorities wait until the DCMS review is complete and then look to undertake a further consultation and review of their Gambling Policies to reflect any amendments to the legislation and associated codes of practice and regulations.

**Review of the Gambling Policy document :-**

The authority’s licensing section in conjunction with the council’s legal department have reviewed the policy document in light of the consultation responses and the Gambling Commission advice no significant amendments have been made to the attached Policy document.

**DETAILED REPORT ATTACHED?**

**YES -**

- **Review of Gambling Policy Consultation Report**
- **Gambling Policy 2025-2028**

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Ian Jones

Head of Leisure and Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets	Bio-diversity & Climate Change
<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## 1. Policy, Crime & Disorder and Equalities

The proposed amendments to the Gambling Policy promote the prevention of crime and disorder. The Policy complies with the Authority's duty under section 17 of the Crime and Disorder Act.

## 2. Legal

Legal services are satisfied that the proposed amendments comply with the Gambling Act 2005 and the statutory guidance issued by the Gambling Commission.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Ian Jones

Head of Leisure and Public Protection

<b>1. Scrutiny Committee request for pre-determination</b>	NO
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**2. Local Member(s)**

Local Members were consulted through correspondence.

**3. Community / Town Council**

Town and Community Councils were consulted through correspondence.

**4. Relevant Partners**

Relevant partners were consulted through correspondence and consultation meetings.

**5. Staff Side Representatives and other Organisations**

N/A

**CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED**

The cabinet member has been consulted as part of the policy review.

**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Consultation Responses	Review of Gambling Policy 2024	3, Spilman Street, Carmarthen
Gambling Commission Guidance	Review of Gambling Policy 2024	3, Spilman Street, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

# Review of Gambling Policy

## Consultation Report

2024

[carmarthenshire.gov.wales](http://carmarthenshire.gov.wales)

## **Contents**

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Outline of approach and consultation methods .....	1
Key quantitative findings from the survey .....	3
Analysis of general comments from the survey (matrix table)	6
Summary – key changes to the gambling policy.....	12
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# **CARMARTHENSHIRE COUNTY COUNCIL**

## **GAMBLING POLICY CONSULTATION**

### **INTRODUCTION & CONTEXT**

On a periodic basis – at least once every three years – the local authority is legally required to review its Gambling Policy under the Gambling Act 2005 to ensure fitness for purpose. Consultation is an intrinsic part of this process: the policy must be responsive to local needs, it should take under advisement comments from myriad stakeholders and seek evidence that will help evaluate progress against its statutory objectives.

To this end, a Six week consultation (27<sup>th</sup> September to 11<sup>th</sup> November 2024) was held to garner views from a wide range of organisations and individuals with an interest in licensing matters. The consultation was the first opportunity that local residents, businesses, existing licence holders and their representatives have had to formally comment on the Policy since 2021.

This report, incorporating the results of the public consultation and the authority's response in summary form, will go to the Licensing Committee in February 2025 and to Cabinet in March 2025 before going to full Council in April 2025.

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This report:

- 1) Outlines the approach and consultation methods deployed;
- 2) Summarises results and key findings;
- 3) Considers free-text responses from residents, licence holders, organisations and town and community councils in a summary matrix table;
- 4) Provides a short summary

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### **1) OUTLINE OF APPROACH AND CONSULTATION METHODS**

A mixed-methods approach to ascertaining views on Carmarthenshire's Gambling Policy was employed to gather quantitative and qualitative data for analytical and evaluative purposes. Specifically, the consultation focused on identifying locations where gambling and gambling-related problems were perceived to be a serious issue.

In accordance with the Gambling Act 2005, a number of statutory consultees were engaged throughout the consultation. This included:

- the Police
- the fire authority
- the Gambling Commission
- Planning
- Environmental Health
- Child Protection
- HMRC

Awareness was raised through use of the following consultation channels:

### **Publicity**

The consultation was publicised through the Council’s press office, through means including: Council Newsletters to Businesses and the Public; information on the Council’s website; online consultation portal and through social media feeds.

### **Survey**

Surveys are a cost-effective method for finding out stakeholders’ views and can be administered in a variety of different ways. An electronic survey was thus selected as the principal method for gathering data. The survey contained a number of fixed-response (closed) and free-response (open) questions. Furthermore, the survey encouraged respondents to upload/attach evidence to support their submission.

The on-line survey was made available through Carmarthenshire County Council’s website. In addition to listed statutory consultees, links to the survey were circulated to , county councillors and town and community councils, gambling licence holders, licensing solicitors, MPs, AMs and the Police and Crime Commissioner. Taken as a whole, details of the consultation were sent to over 40,000 individuals and organisations.

The consultation exercise resulted in **24 submissions**. The table presented below provides a breakdown of the composition of respondents.

#### **Are you responding as a..**

Gambling premises licence holder (1)	4.2%	Member of the public (22)	91.7%	Body representing local businesses (-)	-
Gambling Permit holder (-)	-	Local business (-)	-	Other (1)	4.2%
Premises licence holder (-)	-	Body representing licence holders/clubs (-)	-		
Personal licence holder (-)	-	Body/person representing members of the public (Town & Community Council, County Councillors etc) (-)	-		
Club premises certificate holder (-)	-				

### **Other**

The authority has liaised with the Gambling Commission, as well as the licensing sections of, Pembrokeshire, Powys and Ceredigion licensing authorities, with the aim of ensuring as far as possible a consistent approach to the revised Gambling Policy. The Gambling Commission have suggested to Licensing Authorities that since the Department for Culture, Media and Sport (DCMS) are currently undertaking a review of the Gambling Act, no significant amendments should be made to Gambling Policies as part of the current review, apart from changes to reflect local issues. The current Gambling Policy review and consultation must be undertaken in order for Licensing Authorities to continue to have a Gambling Policy in force. However, the Gambling Commission have suggested that Licensing Authorities wait until the DCMS review is complete and then look to undertake a further consultation and review of their Gambling Policies to reflect any amendments to the legislation and associated codes of practice and regulations.

## 2) KEY QUANTITATIVE FINDINGS FROM THE SURVEY

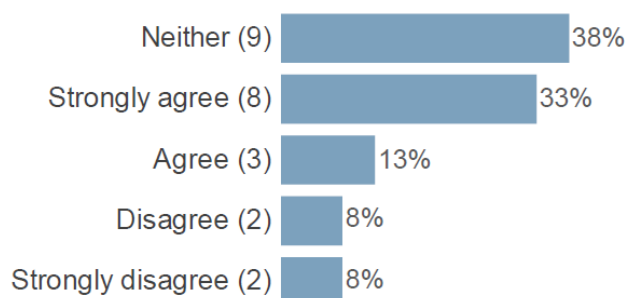
The section will be structured by considering each quantitative survey question in turn. In section 3, comments from the consultation will be considered separately in a matrix table, whether these have arisen through survey submission, or letter or email submissions.

### **1. There are gambling related problems in my area.**

Firstly, 46% of respondents agreed (13% agree; 33% strongly agree) that there were **gambling-related problems in their area**. 38% of respondents reported that they 'Neither' disagreed nor agreed with this statement. It was seen that only 16% of respondents disagreeing with the statement with 8% of these participants strongly disagreeing.

Review Gambling policy

**To what extent do you agree or disagree with the following statements: (There are gambling related problems in my area)**



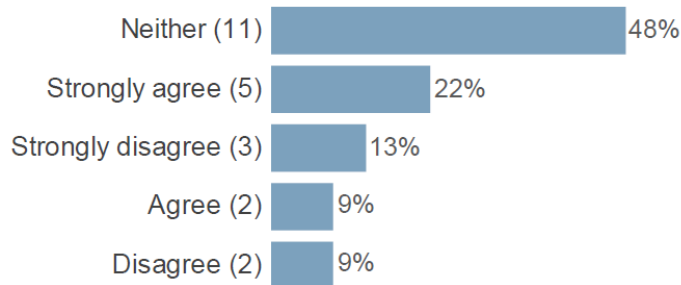
When examining the breakdown, it is clear that 46% of individuals, organisations and businesses noted that there were gambling related problems in their area. Whilst acknowledging that the number of responses is less than in 2021(24 rather than 72), nevertheless, there is a significant increase from the previous consultation when 11% of respondents agreed with the statement.

### **2. Access to gambling by children, young people and other vulnerable persons is a problem in my area**

Next, 31% of respondents agreed (9%) or strongly agreed (22%) that **access to gambling by children and young people was a problem in their area**. 48% of respondents reported that they 'Neither' disagreed nor agreed with this statement. This may suggest that respondents do not feel they have sufficient knowledge/information or local intelligence to make an informed judgment, thus preferring to remain neutral. Contrastingly, 9% disagreed with this statement and 13% strongly disagreed. The results can be seen in the table below. When examining the breakdown, it is clear that 31%(N=7) of individuals, organisations and businesses noted that access to gambling by children, young people and vulnerable persons is a problem in their area which is

an increase from the previous consultation in 2021 when 17%(N=12) agreed with this statement.

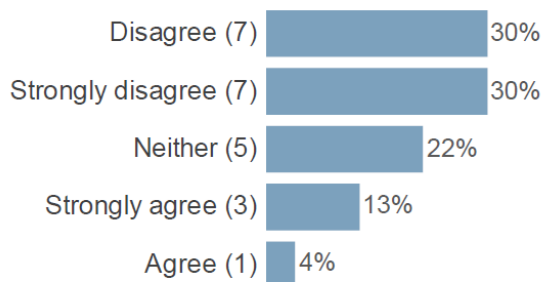
**To what extent do you agree or disagree with the following statements: (Access to gambling by children,young people and other vulnerable persons is a problem in my area)**



**3. I am aware of where to get advice or support locally/nationally for gambling related problems.**

It was seen that 60% (N=14) respondents disagreed that they were **aware of where to get advice or support locally / nationally for gambling related problems**. 22% of respondents reported that they 'Neither' disagreed nor agreed with this statement. Additionally, 17% of respondents agree (Strongly agreed 13%; agreed 4%) with this statement.

**To what extent do you agree or disagree with the following statements: (I am aware of where to get advice or support locally / nationally for gambling related problems.)**



Overall, respondents were not aware of where to get support locally / nationally. It should be noted that codes of practice require gambling premises to display notices and have information available at the premises on how to access support for those with gambling related problems.

**4, Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?**

The graph below shows that the majority of respondents (n=19; 83%) are unaware of any problems which have occurred as a result of gambling premises being located in close proximity to sensitive buildings. Only four people responded that they were aware of problems which have occurred. The figures are comparable with the 2021 response when 97% indicated that they were not aware of any problems which had occurred as a result of gambling premises being located in close proximity to sensitive buildings. As the 13% of respondents who replied yes have not identified specific areas, we do not have sufficient evidence to consider amending the policy currently.

**Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?**



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**5. Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?**

Similar to the preceding question, 87% (N=20) were unaware of any premises in their area where problems have occurred as a result of gaming machines being made available to the public. In contrast only 13% (N=3) noted that they have experienced problems due to gaming machines being made available to the public. The results are similar to the 2021 survey when 92% of respondents were unaware of any premises in their area where problems have occurred as a result of gaming machines being made available to the public, therefore no evidence to change the policy.

**Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?**



### 3) ANALYSIS OF COMMENTS – SUMMARY MATRIX TABLE

The report now considers comments expressed in the survey's free-text questions. Note is made of the respondents' ID number (to provide a traceable record), comment(s) received, the Council's response and, where appropriate, changes to the gambling policy as a result of the consultation. Respondents that have not submitted a reply are omitted from the table.

RESPONDENT	COMMENTS	APPRAISAL	RESPONSE	CHANGES
Respondent 3	Question 14 Mae angen rhoi pwysau arblywodraeth ganolog i ddeddfu cwtogi hysbysebau yn ymwneud a gamblo	Noted	No Change required to policy	No Change No power to control advertising online. Online gambling controlled by the Gambling Commission.
	Question 15 Hysbysebau yn gyson ar y teledu yn denu pobl enwedig y bregus i droi at gamblo ac yn eu bortreadu yn ddeniadol. Cwmniau gamblo yn cefnogu chwaraeon ee pel droed ac yn hysbysebu ar grysau ac ati a thrwy hynny yn dylanwadu ar ieuenctid ac eto pobl bregus.	Noted	No Change required to policy	No Change No power to control advertising online. Online gambling controlled by the Gambling Commission.

Respondent 5	<p>Question 5c problem gamblers addicted to various forms with consequent problems for families, workplaces etc</p> <p>Question 12a betting shops are tip of the iceberg with online forms being more prevalent - but they will act as a first step for many people</p> <p>Question 14 any opportunity in premises of all sorts to gamble feeds into problem gamblers addictions ; all opportunities to shut down any gambling opportunity is welcome and any opportunity to assist in helping gamblers to kick the habit has to be welcomed</p> <p>Question 15 i'm sure you can access the stats for problems gamblers and then tie them into debt issues for many families</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>No change required to policy</p> <p>No change required to policy</p> <p>No change required to policy</p>	<p>No Change</p> <p>No Change. Online gambling controlled by the Gambling Commission.</p> <p>No Change</p> <p>The licensing authority does not have access to such data.</p>

Respondent 7	Question 5c Debt and despair	Noted	No change required to policy	No Change
	Question 7c Debt and despair	Noted	No change required to policy	No Change
	Question 12a While I know gambling is a choice I think that the uk in general has a quite irresponsible approach to it. It initially gets turned to by people who are looking for hope. This quickly turns to despair and often debt. Why would poorer communities such as Llanelli need more places where they can literally throw away money. I'm not against gambling as a whole, but the tv adverts and online advertising is out of hand and encouraging poor financial decisions. Mental health and Debt management implications need to be considered. Putting the odd fruit machine in pubs is not the problem.	Noted	No change required to policy	No power to control gambling .This is a matter controlled by the Gambling Commission.



Respondent 8	<p>Question 5c Advertising of gambling at sporting events and in TV coverage of sporting events eg horse-racing</p> <p>Question 12a As before, heavy advertising of gambling at sporting events and on TV</p>	<p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>No change required to policy</p>	<p>No power to control gambling .This is a matter controlled by the Gambling Commission.</p> <p>No power to control gambling .This is a matter controlled by the Gambling Commission.</p>
Respondent 11	<p>Question 5c Online gambling, mostly women and in the home</p> <p>Question 9c Women are parents of children in schools who gamble at home needed increase in food bank support as all food money is taken with gambling</p>	<p>Noted.</p> <p>Noted.</p>	<p>No change required to policy</p> <p>No change required to policy</p>	<p>No power to control advertising online. Online gambling controlled by the Gambling Commission.</p> <p>No Change</p>

	<p>Question 12a Hidden gambling, for people with low level incomes, now increasing with the reduction in low level jobs available. It doesn't cause outward issues but societal issues with children exposed to it, reduced food available, reduced time spent by mothers with their children.</p>	Noted.	No change required to policy	No Change
Respondent 13	<p>Question 12a Betting has a low taxation upon it ,RAISE it, if you can afford to gamble you can afford to pay on your winnings of 20-30% Betting shops , bookies should pay raised rates to pay for the social blight they cause</p>	Noted.	No change required to policy	No power to amend taxation rates.
Respondent 16	<p>Question 5c Bookies</p> <p>Question 9c People gambling money they don't have and it's a temptation for them</p> <p>Question 12a There are at least 2 gambling premises in Ammanford where as a member of the public I have observed people losing</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>	<p>No change required to policy</p> <p>No change required to policy</p> <p>No change required to policy</p>	<p>No Change</p> <p>No Change</p> <p>No Change</p>

	<p>money they did not have also when people have won money they have got drunk /drugs with the winnings . These are open through the daytime which makes it worse</p> <p>Question 14 Opening hours of gambling premises and also strict checks that under 18s don't get access</p> <p>Question 15 I have observed this as a concerned member of the public and retired nurse and midwife as this is a community with a lot of poverty and low incomes and there are many vulnerable people here</p>	Noted	No change required to policy	No Change
Respondent 19	<p>Question 15 The policy seems comprehensive and I cannot think of anything else to take into account that is in the Council's control</p>	Noted	No change required to policy	No Change
Respondent 23	<p>Question 12a Helping Setting up a new association for veterans hoping we could do quiz/ bingo evenings to raise funds to support us ! Do we still need to apply as this is only going to be members of our association</p>	Noted	This is not a matter for the Gambling Policy.	No Change
Respondent 24	Question 12a			

	this is an addictive and highly damaging activity and the owners of premises target the poorest in society specifically	Noted	No change required to policy	No Change
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#### **4) SUMMARY – KEY CHANGES TO THE GAMBLING POLICY**

1. As set out on page 2 of this report, the Gambling Commission have suggested to Licensing Authorities that since the Department for Culture, Media and Sport (DCMS) are currently undertaking a review of the Gambling Act, no significant amendments should be made to Gambling Policies as part of the current review. Therefore updates to the local data are the only changes made to the attached Gambling Policy document for 2025 – 2028.
2. As a number of the consultation responses raised concerns regarding matters under the control of the Gambling Commission, details of the consultation responses will be forwarded to the gambling Commission.
3. It is acknowledged that some respondents have sought to link existing gambling premises to gambling harms in the County, however the evidence is insufficient to support a change to the gambling policy at this stage. We propose that once the review of the Gambling Act is concluded and we undertake a further consultation and review of the Gambling Policy we include specific questions about this issue.



## Review of Gambling Policy Consultation Document 2024

### PART ONE

#### ABOUT YOU:

Q1 **Are you responding as a..**

- Gambling premises licence holder
- Gambling Permit holder
- Premises licence holder
- Personal licence holder
- Club premises certificate holder
- Member of the public
- Local business
- Body representing licence holders/clubs
- Body/person representing members of the public (Town & Community Council, County Councillors etc)
- Body representing local businesses Other

**Please specify:**

Q2 **Are you responding as an individual or on behalf of the premises/club?**

- Individual
- On behalf of the premises/club

**Name of Organisation/Business/Body:**

Access to gambling by children,young people and other vulnerable persons is a problem in my area

I am aware of where to get advice or support locally / nationally for gambling related problems.

**Q5 Please let us know what are the problems and where they occur.**

Street

Town/Village

Nature of problem

**Q6 Please let us know what are the problems and where they occur.**

Street

Town/Village

Nature of Problem

**Q7 If you agree, please give details of the services that you are aware of below.**

Street

Town/Village

Nature of Problem

**Q8 Are you aware of any problems that have occurred as a result of gambling premises being located in close proximity to sensitive buildings e.g. schools, sixth form colleges, children's play areas, treatment centres for drug, alcohol and other addictions?**

Yes

No

**Q9 Please let us know what are the problems and where they occur.**

Street

Town/Village

Nature of Problem

**Q10 Are you aware of any premises where problems have occurred as a result of gaming machines being made available to the public?**

Yes

No

**Q11 Please outline the matter, giving reasons below.**

Street

Town/Village

Nature of Problem

**Q12 Is there anything else that you want us to take into account when reviewing the Gambling Policy?**

Yes

No

**Please outline the matter, giving reasons below.**



Any further comments...

Q13 **Is there anything else that you want us to take into account when reviewing the Gambling Policy?**

Yes

No

Q14 **Please outline the matter you wish us to consider:**

Q15 **Please give us the reasons and provide evidence below:**

### Part 3: Your Details

## How we will use your information

We are collecting personal data about you on this form to comply with requirements in the Licensing Act 2003 on carrying out consultations.

This personal data will only be used for the purpose of this consultation exercise by the Licensing team and will not be shared with any other Council service or external organisation. When we publish a report on this consultation this will not contain your personal details.

To find out more about how we will use your information, including your Data Protection rights, please contact the Licensing Section on 01267 228717.

The following demographic questions are asked within the survey so that we can find out the views of people with different characteristics, such as those listed in the Equality Act 2010.

Your responses cannot be traced back to you as an individual.

**What is your ethnic group?**

- WhiteBlack / African / Caribbean / Black
- Mixed / multiple ethnic groupsOther ethnic
- Asian / Asian BritishPrefer not to say
- British
- group (please specify)
- 

**What is your age group?**

- Under 16    35 - 44     65 - 74     Prefer     not to say
- 16 - 2445 - 5475 -     84
- 25 - 3455 - 6485+

**What is your partnership status**

- SingleSeparatedCivil Partner
- MarriedDivorcedPrefer not     to say
- CohabitingWidowedOther     (please specify)

**What is your sexual orientation?**

- Heterosexual     Lesbian     Prefer not to say
- BisexualGay

**Q20 Age: What is your age group?**

- Under 16
- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75-84
- 85+
- Prefer not to say

**Q21 Pregnancy and maternity/paternity: Please indicate if any of the following apply to you (please tick all that apply).**

- I am expecting a baby
- I have had a baby in the last six months
- I am currently on maternity leave
- I am currently on paternity leave
- None of these
- Prefer not to say

**Q22 Sex: How would you describe yourself?**

- Male
- Female
- Prefer another term
- Prefer not to say

**Please specify 'prefer another term'.**

**The Equality Act 2010 states that a person has a disability for the purposes of this Act if he/she has or has had 'a physical or mental impairment which has had a substantial and long term adverse effect on his/her ability to carry out normal day to day activities'.**

**Long term has been defined as meaning having lasted 12 months or is likely to last at least 12 months**

**Q23 Disability: Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least another 12 months? (Please tick only one)**

Yes

No

Prefer not to say

**Q24 Gender reassignment: Is your present gender the same as the one assigned to you at birth? (please tick only one)**

Yes

No

Prefer not to say

**Q25 Caring Responsibilities: Do you provide regular, unpaid, substantial care for a relative, friend or neighbour who is unable to manage at home without help because of sickness, age or disability? (please tick only one)**

Yes

No

Prefer not to say

**Sexual Orientation: What is your sexual orientation (please tick only one)**

Q26

- Heterosexual/straight
- Gay Man
- Gay woman/lesbian
- Bisexual
- Other
- Prefer not to say

Q27 **Ethnic Group: What is your ethnic group? (Please tick only one)**

- White (Welsh, English, Scottish, Irish, British)
- Other White, including Gypsy or Irish Traveller
- Mixed/multiple ethnic groups
- Asian/Asian British
- Black/African/Caribbean/Black British
- Prefer not to say
- Any other ethnic group (please specify)

**Please specify 'any other ethnic group'**

Q28 **Marriage and civil partnership: Are you? (please tick only one)**

- Single
- Married
- In a Civil Partnership
- Divorced/separated
- Widowed
- Prefer not to say

Q29 **Religion: What is your religion? (please tick only one)**

- No religion
- Christian (all denominations)
- Buddhist
- Hindu
- Jewish
- Muslim
- Sikh
- Prefer not to say
- Any other religion (please specify)

Please specify any other religion:

Q30 **Household Income: Approximately how much income comes into your household each year? (please tick only one)**

Under £15,000

£15,001 > £30,000

£30,001 > £45,000

Over £45,000

Prefer not to say

Q31 **Welsh Language: Can you understand, speak or write Welsh? (Tick all that apply)**

- Understand spoken Welsh
- Speak Welsh
- Read Welsh
- Write Welsh
- None of the above

Q32 **What is your main language?**

Welsh

English

Other (please specify)

Please specify your other 'main language':

Q33 **Are you or your partner serving OR have you or your partner ever served, in Her Majesty's Armed Forces? This includes Regular or Reserves Forces, National Service and the Merchant Navy.**

Yes

No

Prefer not to say

Q34 **We would like to know your views on the effects that these proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Q35 Please also explain how you believe the proposed policy approach could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language.

Following 'SA', what are the first two numbers of your postcode? (e.g. if your postcode was SA50 2PG the numbers we require are 50).

Under certain circumstances, we may wish to contact you to follow-up on your response, either to ask for additional comment or to reply to the points you have raised. Do you consent to CCC using your details in this way?

Q37

- Yes - I am happy to be contacted  
 No - I do not wish to be contacted

Q38 Please enter your details below:

Name:

Address:

Email:

Phone:

**Thank you for taking the time to complete this survey.**

# Gambling Policy

## Gambling Act 2005

2025 - 2028

[carmarthenshire.gov.wales](http://carmarthenshire.gov.wales)

Cyngor **Sir Gâr**  
**Carmarthenshire**  
County Council



Tudalen 39

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## **PART A**

### **Statement of Gambling Policy**

#### **1. The Licensing Objectives**

1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing 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;**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

1.2 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

1.3 This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- **in accordance with any relevant code of practice issued by the Gambling Commission;**
- **in accordance with any relevant guidance issued by the Gambling Commission;**
- **reasonably consistent with the licensing objectives and**
- **in accordance with the authority’s statement of Gambling policy.**

#### **2. Introduction**

2.1 Carmarthenshire is the third largest county in Wales in geographic terms, with a population in 2023 of 190 083. As a primarily rural area, Carmarthenshire has a strong agricultural base with a ‘necklace’ of key market towns providing for the needs of communities in those rural areas. South East Carmarthenshire is the most densely populated part of the county, and is characterised by close knit former industrial communities. A plan of the county showing individual wards is attached as Appendix C.

2.2 Currently there are 18 Gambling Premises in the County, consisting of 11 Betting Premises, 3 Bingo Premises, 2 Adult Gaming Centres, 1 Family Entertainment Centre and 1 Track Betting Licence.

2.3 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles, which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed periodically and any amended parts re-consulted upon. The statement must be then re-published. This document is

Carmarthenshire County Council's statement of principles in accordance with the Act.

2.4 This policy has been formulated as a result of a consultation exercise involving (but not limited to):-

- a) The Police
- b) Gambling Commission
- c) Other Responsible Authorities
- d) Licence Holders and their representatives
- e) Permit Holders and their representatives
- f) Local Gambling businesses and their representatives
- g) Local residents and their representatives

Due consideration has been given to all those who have responded.

2.5 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

2.6 It is noted that applicants for premises licences need to obtain operating licences from the gambling commission and have responsibilities to the Commission as a result.

### 3. Declaration

3.1 In producing this policy document, Carmarthenshire County Council declares that it has had regard to the licensing objectives of the Gambling Act 2005 and the guidance issued by the Gambling Commission.

### 3.2 Glossary of Terms

Within this Statement of Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 1.1 above
Council:	Carmarthenshire County Council (hereinafter referred to as "the Council")
County	The area of Carmarthenshire administered by Carmarthenshire County Council referred to in the map attached (see Appendix C)
Licences:	As defined in Part B
Applications:	Applications for licences and permits as defined in Parts B and C

Licensing Authority	A Licensing Authority within the meaning of Section 2 of the Gambling Act 2005 (hereinafter referred to as “the Authority”)
Notifications:	Means notification of Temporary and Occasional Use Notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Carmarthenshire County Council

#### 4. Responsible Authorities

The following are responsible authorities in relation to premises licences under the Act :-

1. The Licensing Authority in whose area the premises are wholly or partly situated (“Carmarthenshire County Council”);
2. The Gambling Commission;
3. Chief Constable of Heddlu Dyfed-Powys Police;
4. Mid and West Wales Fire and Rescue Service
5. Head of Planning, Carmarthenshire County Council or Brecon Beacons National Park Authority.
6. Public Health Services Manager, Public Protection, Carmarthenshire County Council.
7. Department for Education and Children, Carmarthenshire County Council.
8. HM Revenue and Customs.
9. In relation to a vessel, a navigation authority, Environment Agency, British Waterways Board and Secretary of State
10. Any other person prescribed in regulations by the Secretary of State

4.1 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

4.2 The principles are:

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

4.3 For these reasons, this authority designates the Department for Education and Children , Carmarthenshire County Council for this purpose.

4.4 The contact details of all the Responsible Authorities under the Gambling Act 2005 are contained in Appendix B of this Policy document and are also available via the Council's website at: [www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk)

## 5. Interested parties

5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”.

5.2 The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.9 and 8.17. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

- Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, community councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the **Licensing Section, Department for Communities, 3 Spilman Street, Carmarthen, SA31 1LE.**

5.3 Any community or County Councillors who are approached to represent interested persons should ensure that they comply with the Code of Conduct and seek dispensation from the Standards Committee if appropriate.

## 6. Exchange of Information

6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 of the Act.

6.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General Data Protection Regulation 2016 and Data Protection Act 2018 will not be contravened. The licensing authority will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

## 7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This licensing authority's principles are that it will be guided by the Gambling Commission's Guidance for local authorities, and will endeavour to be:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
  - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
  - Consistent: rules and standards must be joined up and implemented fairly;
  - Transparent: regulators should be open, and keep regulations simple and user friendly; and
  - Targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions, which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission
- 7.5 This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 7.6 Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements will be available upon request to the Licensing Section, 3 Spilman Street, Carmarthen, Carmarthenshire, SA31 1LE.

## 8. Licensing Authority functions

8.1 Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences; for Bingo premises, Betting premises, Tracks, Adult Gaming Centres and Family Entertainment Centres.
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres;
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and Endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange');
- Maintain registers of the permits and licences that are issued under these functions.

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

### *PART B*

#### *PREMISES LICENCES – CONSIDERATION OF APPLICATIONS*

## 9. General Principles

9.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 All applicants for Premises Licences will be required to set out how they will have regard to the licensing objectives, as specified in section 1.1 above, and what measures they intend to employ to ensure compliance with them.



### 9.3 Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

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

9.4 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.

This licensing authority also notes Gambling Commission guidance on ensuring that betting is the primary activity of a licensed premises. Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. Operators will need to demonstrate that betting will continue to be the primary activity of the premises when seeking variations to licenses.

In making this determination, this licensing authority will have regard to the six indicators of betting as a primary gambling activity.

- The offer of established core products (including live event pictures and bet range)
- The provision of information of products and events
- The promotion of gambling opportunities and products
- The actual use made of betting facilities
- The size of premises
- The delivery of betting facilities

9.5 **Definition of "premises"** – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place.

But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, we will pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

9.6 The Gambling Commission states in S7.6 of the fifth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building

/ plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority. S7.7 The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit”

9.7 This licensing authority takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

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

- Do the premises have a separate registration for business rates?
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

## 9.9 The Gambling Commission's relevant access provisions for each premises type are reproduced below:

7.23:

### Casinos

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

### Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

### Betting Shops

- Access must be from a street (as per para 7.20 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.

### Tracks

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

### Bingo Premises

- No customer must be able to access the premise directly from:
  - a casino
  - an adult gaming centre
  - a betting premises, other than a track

### Family Entertainment Centre

- No customer must be able to access the premises directly from:
  - a casino
  - an adult gaming centre
  - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

## 9.10 Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future,

consistent with the scale of building or alterations required before the premises are brought into use.

9.11 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

9.12 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

9.13 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

9.14 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

9.15 **Location** - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. This does not preclude any applications being made and each application will be decided on its merits.

9.16

When determining an application to grant a Premises Licence or review a Premises Licence, regard will be taken regarding the proximity of the premises to schools, youth centres, vulnerable adult centres or residential areas where there is an evidential link between the proximity of such premises and the gambling premises. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits and will depend to a large extent on the type of gambling that it is proposed will be offered on the premises. Therefore, if an Applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

### 9.17 **Duplication with other regulatory regimes**

When determining an application, the Authority shall not take into account matters not relevant under the Act such as the likelihood of the applicant obtaining planning permission or building control approval.

An applicant can apply for a “provisional statement” if the building is not complete or if he does not yet have a right to occupy it. Such an application is, however, a separate and distinct process to the granting of planning permission or building control approval.

9.18 This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a premises is likely to be awarded planning permission or building regulations approval or comply with any existing permission or approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

9.19 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

9.20 **Licensing objectives** - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission’s Guidance to local authorities and some comments are made below.

#### **1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime –**

- a) This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.
- b) The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.
- c) Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the

behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

d) When preparing licence applications, applicants are advised to consider the following:-

1. The design and layout of the premises;
2. Location in so far as the location relates to the licensing objectives
3. The training given to staff in crime prevention measures appropriate to those premises;
4. 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;
5. Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
6. The likelihood of any violence, public order or policing problem if the licence is granted.
7. In relation to the prevention of disorder, the Authority has the ability (under S169 of the Act) to impose licence conditions.
8. The staffs awareness of the Money Laundering Regulations and the provision of a clear procedure for reporting any suspicious activity to senior management

## **2. Ensuring that gambling is conducted in a fair and open way –**

This licensing authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below – page 16).

## **3. Protecting children and other vulnerable persons from being harmed or exploited by gambling –**

- a) This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling. The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas within the same premises, staff training and design and layout of the premises.
- b) This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.
- c) **Children and vulnerable persons**
  1. Children

The Gambling Act and guidance issued by the commission make detailed provision for the protection of children from gambling harm. Licence holders should familiarise themselves with these provisions.

## 2. Test Purchasing

The Authority supports the stance of the Gambling Commission in promoting operators to test the integrity of their age verification policies and procedures to prevent children from accessing gambling facilities. Each premises will be expected to inform their Primary Authority (where there are such agreements in place with specific operators) in writing of the approach they have adopted and share the results of such tests with the Authority annually with a view to working with the Authority to enhance robustness of procedures preventing children using gambling facilities.

Those who do not have such primary authority agreements are expected to share the results of such test purchases with this Licensing Authority.

### **d) Vulnerable Persons**

1. As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that “it will for regulatory purposes assume that this group includes people who 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 a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.
2. The Authority expects all gambling premises to make available information regarding the Financial Exploitation Safeguarding Scheme (FESS) .Given the evidence of a link between gambling and financial exploitation. Further information regarding the scheme can be obtained from the Licensing Section.

### **e) Local Health Board Notification.**

The Licensing Authority will notify the Local Health Board of applications for gambling premises licences.

### **f) Good Practice Guidance**

Premises operators, responsible authorities and decision makers are strongly advised to consider best practice guidance when assessing the impact of granting a licence. Particular reference should be made to the following reports:-

- Welsh Government Framework on Tacking the Night Time Economy
- The Relationship Between Alcohol and Gambling behaviours - Alcohol Concern Cymru (2015)
- Gambling with Our Health – Chief Medical Officer for Wales Annual Report 2016/17

### **g) Training**

Premises operators are advised to provide staff training that includes training on drug and alcohol related issues, particularly training on local policies for dealing with discarded needles and the risks of blood borne virus in order to protect staff. Training could also include awareness of the types of new and emerging drugs referred to as “New Psychoactive Substances” (previously “Legal Highs”) in order to better equip staff to handle use on premises.

Local services can provide short, bespoke courses free to licensed premises and operators are strongly advised to contact the licensing authority for details of how to access these courses.

Premises operators are also strongly advised to promote local help services for addressing gambling, drug and alcohol issues. Details of where to obtain relevant promotional material can be obtained from the licensing authority.

### **h) Safeguarding**

1. Carmarthenshire County Council believes that the safeguarding of Children and Vulnerable persons is a priority.
2. Carmarthenshire’s Licensing Section in conjunction with agencies, including the Gambling Commission and Dyfed Powys Police is looking to work in partnership with licensees, their staff and other organisations to ensure that premises offering gambling activities operate responsibly and with due regard to children and vulnerable persons.
3. As part of this initiative the group has produced information and training material to raise awareness of safeguarding issues, including Child Sexual Exploitation and to provide local points of contact for advice and guidance as well as to report concerns.
4. The authority recommends that businesses offering gambling activities need to ensure that their staff have been adequately trained in relation to safeguarding matters in order to respond appropriately and quickly where issues arise. This advice is equally as important to operators of premises which offer gaming machines alongside the sale or supply of alcohol.
5. The authority strongly suggests that applicants for authorisations include information regarding their arrangements for staff safeguarding training as part of the application documents.
6. Gambling businesses are advised to contact the licensing section or visit the Authority’s gambling web pages to obtain copies of the documents.

### **l) Bet – Watch**

The Authority encourages and will support local operators to create and maintain an information sharing network to discuss issues of problem gamblers that are identified. This will also be an opportunity for operators to discuss issues with licensing officers.



## Conditions

9.21 - Any conditions attached to licences will be proportionate and will be:

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

9.22 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

9.23 This licensing authority will also consider specific measures, which may be required for buildings that are subject to multiple premises licences.

9.24 Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

9.25 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- that all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- that only adults are admitted to the area where these machines are located;
- that access to the area where the machines are located is supervised;
- that the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- that at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.26 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.27 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

9.28 **Door Supervisors** - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirement for different types of premises vary (as per the Guidance, Part 33).

9.29 However, where an applicant chooses not to engage SIA registered door supervisors this Licensing Authority will expect the applicant to describe in their application how they intend to: -

- a) Carry out Criminal Record checks (CRB) on each individual
- b) Provide details of their criminal convictions criteria
- c) Explain the proposed method of identifying these individuals when working in the capacity of door supervisors.
  
- d) Indicate the ratio of male and female operatives
- e) Provide details of the appropriate training for the role
- f) Provide a work register showing the duty time and date (same applies to SIA registered).

9.30 **Closed Circuit Television Systems** - This Licensing Authority recognises the value of CCTV systems in preventing crime and disorder. Applicants are advised to follow the guidance available from the Dyfed Powys Police regarding the standards and specifications of any proposed system to ensure that it is appropriate for the premises.

## 10. Adult Gaming Centres

10.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

10.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

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

## 11. (Licensed) Family Entertainment Centres:

11.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Applicants are strongly advised to refer to the safeguarding information set out on page 13 of this policy document.

11.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However appropriate measures/licence conditions should cover issues such as:

- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;

- Provision of information leaflets/helpline numbers for organisations such as GamCare;
- Measures/training for staff on how to deal with suspected truant school children on the premises.
- How any risks to children and vulnerable adults from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed.

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

11.3 This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

## **12. Casinos**

12.1 There are currently no casinos operating within the county.

12.2 There is no resolution to prohibit casinos in the county at present. However the Council reserves the right to review this situation and may, at some time in the future, resolve not to permit casinos.

12.3 Should the Council 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 given. There is no right of appeal against this resolution.

## **13. Bingo premises**

13.1 This licensing authority notes that the Gambling Commission's Guidance states:

18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

13.2 This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent

premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

13.3 Paragraph 18.7 further states that children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

13.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

## 14. Betting premises

14.1 **Betting machines** - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. This Licensing Authority expects applicants to demonstrate suitable measures to ensure children do not have access to such machines.

14.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling that have been identified in a risk assessment carried out in accordance with paragraph 19.5 of this policy will be addressed
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;

- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

14.3 The Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the Authority a single named point of contact, who shall be a senior individual, and whom the Authority will contact first should any compliance queries or issues arise.

## 15. Tracks

15.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

15.2 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities.

15.3 It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

15.4 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes, such as challenge 21 or 25;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;
- Specific opening hours;
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

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

- 15.5 **Gaming machines** - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.
- 15.6 **Betting machines** - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.
- 15.7 **Condition on rules being displayed** - The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."
- 15.8 This Licensing Authority will expect applicants to demonstrate how they will comply with this guide as part of their application.

#### 15.9 **Applications and plans**

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, para 20.43).

- 15.10 **Plans** – Applicants will be expected to provide a plan of the premises in a scale of 1:100 unless the Authority has agreed in writing to the applicant to accept a plan in an alternative scale. The plan should show:

- The entire boundary of the premises, and all buildings and structures within the premises.
- The location of the points of access to and egress from the premises.
- The areas to be used for gambling activities whether permanent or temporary.
- Any areas where access by children is restricted/prohibited.
- Location of any warning or information notices.
- Location of any public conveniences.
- Location of any gambling areas at the premises covered by separate licences or permits.
- The plan may include a legend through which the above matters may be identified.

- 15.11 This Licensing Authority is of the view that, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.
- 15.12 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, para 20.46).

## **16. Travelling Fairs**

- 16.1 It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 16.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 16.3 It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

## **17. Provisional Statements**

- 17.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.



- 17.2 S.204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
  - expects to be altered; or
  - expects to acquire a right to occupy.
- 17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
  - they reflect a change in the applicant's circumstances.
- 17.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- which could not have been raised by objectors at the provisional statement stage;
  - which in the authority's opinion reflect a change in the operator's circumstances; or
  - where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

## **18. Reviews:**

- 18.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

18.2 The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

18.3 The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

18.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

18.5 The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

18.6 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

18.7 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

18.8 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

18.9 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)

- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

## 19. Risk Assessments

- 19.1 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The Licence Conditions and Code of Practice issued by the Gambling Commission ( The code ) requires all operators of; Adult Gaming Centres (AGC's), Bingo Premises, Family Entertainment Centres (FEC's), Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.
- 19.2 Operators are required by the code from 6<sup>th</sup> April 2016 to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the Authority's inspection regime and may be requested when officers are investigating complaints.
- 19.3 Operators are strongly advised to ensure that a copy of the current premises risk assessment is kept at the premises alongside the premises licence document and made available to staff.
- 19.4 The code requires the Authority to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this Authority expects the following matters to be considered by operators when making their risk assessment.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
  - Gaming trends that may reflect benefit payments and paydays.
  - Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
  - Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
  - Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
  - Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.
- 19.5 The Authority expects the following matters to be considered by Operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling alleys, cinemas etc.
  - Any premises where children congregate including bus stops, cafés, shops, and any other place where children are attracted,
  - Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
  - Recorded incidents of attempted underage gambling
- 19.6 Matters relating to vulnerable adults, including;
- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
  - Gaming trends that may mirror days for financial payments such as pay days or benefit payments
  - Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
  - Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, places of worship, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.
- 19.7 This list is not exhaustive and other relevant factors not in this list that are identified must be taken into consideration.

## **PART C**

### **Permits/Temporary & Occasional Use Notice**

20. **Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 paragraph 7).**
- 20.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the act).
- 20.2 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and the Chief Officer of Police has been consulted on the application. This Licensing Authority will expect applicants to :
- Demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
  - Demonstrate that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and

- Demonstrate that staff are trained to have a full understanding of the maximum stakes and prizes.
- Demonstrate an understanding of safeguarding issues highlighted on page 13 of this policy.
- Provide a basic criminal record check from the Disclosure and Barring Service (DBS) or a Subject Access printout from the Police National Computer dated within one calendar month of the date of application being submitted (unless the applicant holds a current Operator's licence issued by the Gambling Commission)
- Provide plans of the premises which comply with the requirements of paragraph 15.9 – 15.10 of this policy and which illustrate the proposed locations of gaming machines and the locations of staff managing and supervising the centre.

20.3 When considering any convictions revealed in an application the licensing authority will consider the nature and relevance of the offence, how long ago it took place and any other factors that may be relevant. The application will be subject to the terms of the Rehabilitation of Offenders Act and "spent" convictions may not be referred to when considering the permit application. The application process will make specific reference to the Relevant Offences listed in Schedule 7 to the Gambling Act 2005.

20.4 It should be noted that a licensing authority cannot attach conditions to this type of permit.

20.5 **Statement of Principles** - This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

20.6 The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, appropriate measures / vetting of staff/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

20.7 Applicants are advised to refer to the Safeguarding advice outlined on page 13 of this Policy or contact the relevant Responsible Authorities for further guidance.

## 21. (Alcohol) Licensed premises gaming machine permits

21.1 Based on experience of a test purchase exercise undertaken at licensed premises in 2019 which resulted in a 100% failure rate premises licence holders are strongly advised to review and improve their staff training and the supervision of gaming machines in order to protect children from gambling harm.

### Gaming Machines -Automatic Entitlement

21.2 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority and pay the prescribed fee.

21.3 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

### 21.4 Gaming Machine Permit: 3 or more machines – (schedule 13 paragraph 4(1))

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives under the 2005 Act, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant”.

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

Applicants for Licensed premises Gaming Machine Permits are therefore required to provide the following information alongside their application:-

1. A plan of the premises in accordance with paragraph 15.10 of this policy on which they shall show the proposed location of each gaming machine along with details of the locations of supervising staff as well as Notices and signage.
2. Information regarding the nature of the premises including access to the premises by persons aged under 18.
3. Applicants are required to demonstrate that the gambling activity proposed at the premises will be incidental / ancillary to the other licensable activities at the premises.

21.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

21.6 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

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

21.8 The Local Authority may consult the Police prior to determining any such applications.

## **22. Prize Gaming Permits - (Statement of Principles on Permits - Schedule 14 paragraph 8 (3)).**

22.1 The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

22.2 **Statement of Principles** - Applicants should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.
- Clear policies that outline the steps to be taken to protect children from harm.

22.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).

22.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

## 23. Club Gaming and Club Machine Permits

23.1 Based on experience of a test purchase exercise undertaken at licensed premises in 2019, which resulted in a 100% failure rate at those premises, members clubs are strongly advised to review and improve their staff training and the supervision of gaming machines in order to protect children from gambling harm.

23.2 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit . The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

23.3 This licensing authority notes that the Gambling Commission's Guidance states:

25.44 The LA has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take account a number of matters as outlined in sections 25.45-25.47 of the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.



The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

23.4 The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

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

23.5 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced". The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

23.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

23.7

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions should cover issues such as:

- Adopt a proof of age scheme such as challenge 21 or 25;
- How any risks to children and vulnerable persons from gambling will be addressed;
- CCTV;
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices/signage;

- Specific opening hours;
- Self-exclusion schemes;
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

## 24. Temporary Use Notices

24.1 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.

24.2 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.

24.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

24.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". 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.

24.5 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.

## 25. Occasional Use Notices

25.1 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. This licensing authority will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

## 26. **Small Society Lotteries**

26.1 This licensing authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

26.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

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

Charities and community groups should contact this licensing authority on 01267 228717 for further advice.

**APPENDIX A  
DELEGATION OF FUNCTIONS**

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Sub Committee</b>	<b>Officers</b>
Final approval of three year Licensing policy	X		
Policy not to permit casinos	X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received and representations have been withdrawn
Application for a review of a premises / club licence		X	
Application for club gaming/ Club machine permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
Cancellation of club gaming/ Club machine permits		X	
Applications for other permits		Where objections have been made and not withdrawn	Where no objections made or where objections have been withdrawn
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	
Fee setting (when appropriate)	Executive Member Board Decision Meeting		
Decision of whether a representation is irrelevant, frivolous or vexatious			X In consultation with Licensing Committee Chairperson

## GAMBLING ACT 2005

### GAMBLING POLICY

## Appendix B

### Contact Details

#### Licensing Authority

Licensing Section  
Department for Communities  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Tel No. 01267 234567

e-mail : [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

Tel No. 0121 230 6666

e-mail: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

Fax No. 0121 230 6720

HMRC  
The National Registration Unit  
Betting and Gaming  
Portcullis House  
21 India Street  
Glasgow  
G2 4PZ

Tel No. 03000 516023

e-mail [nrubetting&gaming@hmrc.gsi.gov.uk](mailto:nrubetting&gaming@hmrc.gsi.gov.uk)

Fax No. 03000 516249

#### The Relevant planning Authority

Either ,

Head of Planning  
Carmarthenshire County Council

3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LQ

Tel No. 01267 242454

e-mail: [Planning@Carmarthenshire.gov.uk](mailto:Planning@Carmarthenshire.gov.uk)

**Or**

Brecon Beacons National Park, for premises within its administrative area

Enforcement Officer  
Brecon Beacons National Park Authority  
Plas Y Ffynnon  
Cambrian Way  
Brecon  
Powys  
LD3 7HP

Tel No: 01874 620431

Email: [planning.enquiries@breconbeacons.org](mailto:planning.enquiries@breconbeacons.org)

Commercial Services Manager  
Department for Communities  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
Carmarthenshire  
SA31 1LE

Tel No. 01267 234567

e-mail: [PublicProtection@Carmarthenshire.gov.uk](mailto:PublicProtection@Carmarthenshire.gov.uk)

Licensing Officer  
Dyfed Powys Police  
Police Station  
Foundry Road  
Ammanford  
Carmarthenshire  
SA18 2LS

Tel No. 101 Ext 26464

e-mail: [david.bizby@dyfed-powys.police.uk](mailto:david.bizby@dyfed-powys.police.uk)

County Commander  
Mid and West Wales Fire and Rescue Service  
Carmarthenshire Command HQ  
Lime Grove Avenue

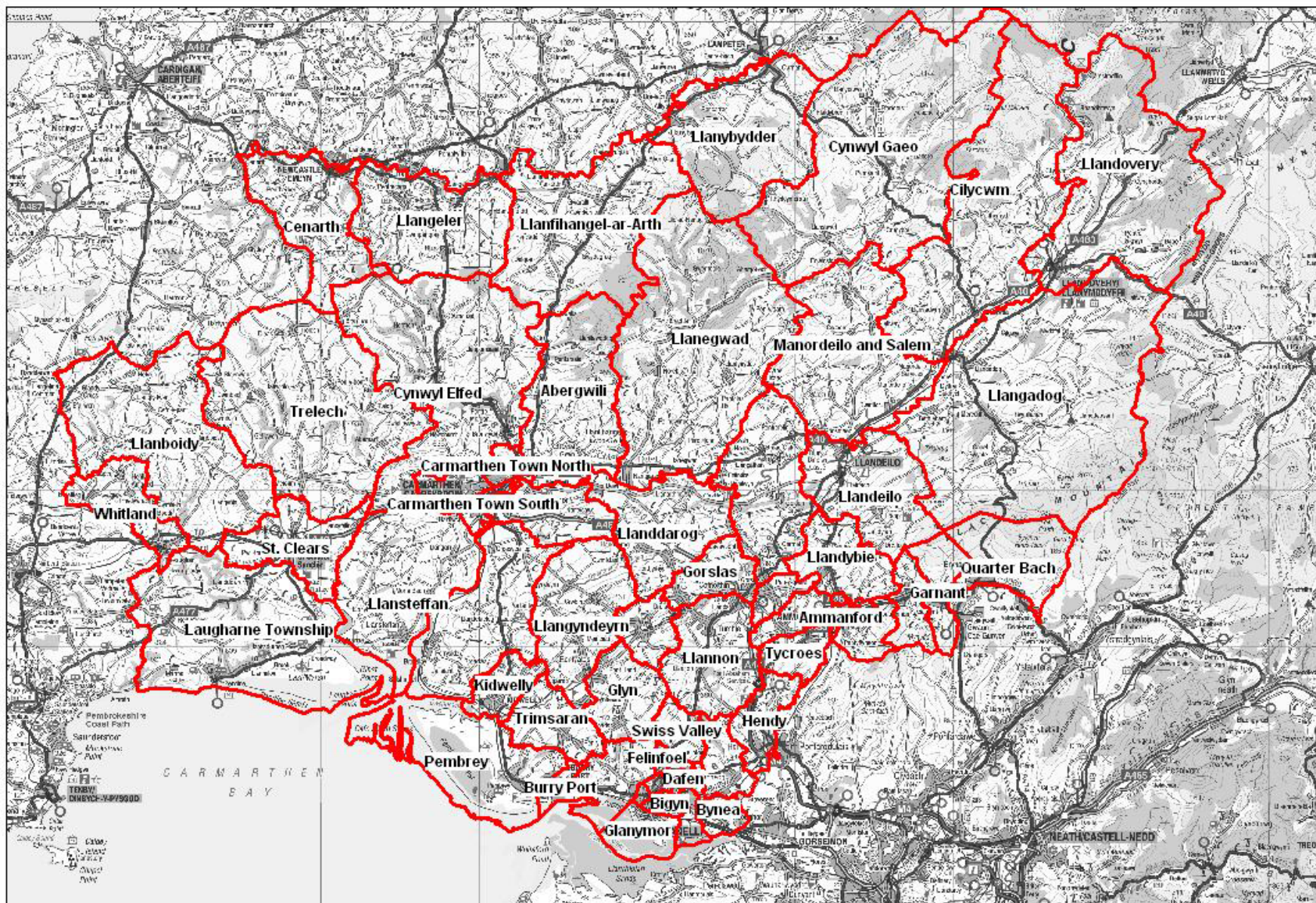
Carmarthen  
Carmarthenshire  
SA31 1SP

Tel No. 0870 6060699  
e-mail : [Mail@Mawwfire.gov.uk](mailto:Mail@Mawwfire.gov.uk)

Head of Children Services  
Department for Education and Children  
Carmarthenshire County Council  
Building 2  
St. Davids Park  
Jobs Well Road  
Carmarthen  
Carmarthenshire  
SA31 3HB

Tel No. 01267 246549  
e-mail. [Childrensocialcare@Carmarthenshire.gov.uk](mailto:Childrensocialcare@Carmarthenshire.gov.uk)

**Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.**



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# Eitem Rhif 6

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Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007

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