

# Schedule of proposed amendments – Gambling Act 2005 – Statement of policy

Subject	Current policy / wording	Proposed amendment and reasoning / explanation
1.1.4 Background	The District of the Vale of White Horse covers approximately 224 square miles (580 square kilometres). It borders the City of Oxford, Swindon Borough Council, South Oxfordshire and West Berkshire	Addition of West Oxfordshire – <b>Omitted from previous Policy Statement of Policy</b>
1.3.1 Consultation	This policy has been prepared in consultation with the following persons/bodies	This Policy Statement of Policy has been produced in compliance with DCMS regulations, Gambling Commission and LACORS guidance. The Statement of Policy has been produced by the Oxfordshire Licensing Group. The following bodies/persons will be consulted upon this policy and their views taken into consideration whilst finalising the Statement of Policy. <b>Provides further clarification.</b>
1.3.3 Consultation	The statement of principles comes into effect on 13 <sup>th</sup> December. It will remain in force for no more than 3 years, but may be reviewed at any time.	The Statement of Policy will come into effect following a 12 week consultation period stipulated in the Secretary of State's guidance for the Gambling Act 2005. After receipt of comments upon the consultation paper and its formal adoption by Full Council, the statement will be published and will come into force on 31 January 2010. The Statement of Policy will remain in force for no more than 3 years but may be reviewed at any time. <b>Wording change for clarification</b>
1.5.1 Responsible Authorities	Responsible Authorities not currently listed.	Add: - The Responsible Authorities under the Gambling Act 2005 for the area of the Vale of White Horse are: The Licensing Authority, the Gambling Commission, the Chief Officer of Police for the area the premises is wholly or partially situated in, the local Fire Authority, the Planning Authority (Vale of White Horse District

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		<p>Council), the local Parish Council, the Environmental Protection department (Vale of White Horse District Council), a body designated in writing by the licensing authority as competent to advise about the protection of children from harm, HM Revenue &amp; Customs, any other persons prescribed in regulations by the Secretary of State.</p> <p><b>Provides further clarification</b></p>
1.5.2 Responsible Authorities	No wording in current policy	<p>Add: - In the event that the premise is a vessel, the following bodies also become Responsible Authorities: The Environment Agency, the British Waterways Board, the Maritime and Coastguard Agency.</p> <p><b>Provides further clarification</b></p>
1.5.3 Responsible Authorities	No wording in current policy	<p>Add: - The contact details of all the Responsible Authorities under the Act are available via the Council's website at <a href="http://www.whitehorsedc.gov.uk/licensing">www.whitehorsedc.gov.uk/licensing</a></p> <p><b>Provides further clarification</b></p>
1.7.5 Exchange of Information	<p>Any person wishing to obtain further information about their rights under the Data Protection Act 1998 or the Freedom of Information Act 2000 may view the Council's policies at <a href="http://www.whitehorsedc.gov.uk">www.whitehorsedc.gov.uk</a> or alternatively contact our Legal Department on 01235 520202</p>	<p>Any person wishing to obtain further information about their rights under the Data Protection Act 1998 or the Freedom of Information Act 2000 may view the Council's policies at <a href="http://www.whitehorsedc.gov.uk">www.whitehorsedc.gov.uk</a> or alternatively members of the public and businesses can also access information and advice regarding Licensing by contacting the following bodies:</p> <ul style="list-style-type: none"> <li>• LACORS (Local Authorities Coordinator of Regulatory Services) <a href="http://www.lacors.gov.uk">www.lacors.gov.uk</a></li> <li>• DCMS (Department of Culture, Media and Sport) <a href="http://www.culture.gov.uk">www.culture.gov.uk</a></li> <li>• Citizens Advice Bureau – <a href="http://www.citizensadvice.org.uk">www.citizensadvice.org.uk</a></li> <li>• Or through you local solicitor</li> </ul> <p><b>Advice from the Legal Department taken out as they do not advise</b></p>

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		<b>individuals. Other information added to provide further clarification</b>
1.8.1 Enforcement	The Council will adopt a risk-based approach to the inspection of gambling premises. This will allow for the targeting of premises which are considered to have a high risk of breaching the licensing objectives.	The Council will adopt a risk-based approach to the inspection of gambling premises which will be operated in conjunction with the Council's Licensing Enforcement Policy. This will allow for the targeting of high risk premises or those where a breach would have serious consequences. <b>Wording Change</b>
2.4.1 Club Gaming & Club Machine Permit	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 B4, C or D), equal chance gaming and games of chance.	<b>UPDATED GUIDANCE FROM THE GAMBLING COMMISSION (INCLUSION OF B3A MACHINES &amp; re-wording for clarification)</b>  <i>Club Gaming Permits</i> – The Council may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming and games of chance. Club gaming permits allow the provision of no more than 3 gaming machines. These may be categories B3A, B4, C or D but only 1 B3A machine can be sited as part of this entitlement.
2.4.2 Club Gaming & Club Machine Permit	If a club does not wish to have the full range of facilities permitted by a club gaming permit or if they are commercial club not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act), they may apply for a club machine permit, which will enable the premises to provide gaming machines (3 machines of categories B4, C or D).	<b>UPDATED GUIDANCE FROM THE GAMBLING COMMISSION (INCLUSION OF B3A MACHINES FOR MEMBERS' CLUBS AND MINERS' WELFARE INSTITUTES (NOT COMMERCIAL CLUBS)).</b> <b>Rewording for clarification.</b>  <i>Club Machine Permits</i> – If a members' club or a miners' welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply to the Council for a club machine permit under section 273 of the Act. This authorises the holder to have up to 3 gaming machines of categories B3A, B4, C and D. Commercial clubs are not permitted to provide non-machine gaming ) other than exempt gaming under section 269 of the Act) so they should apply for a club machine permit, however, they will not be able to site category B3A gaming

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		machines offering lottery games in their club.
3.3.1 Multiple Licences/Layout of Buildings	Wording not currently mentioned.	Add: - It should be noted that the Council will refuse licences where it is felt that they have been artificially sub-divided, by ropes or moveable partitions for example. <b>Clarification</b>
3.4.1 Conditions	Wording not currently mentioned.	Add: - The Council will have regard to the guidance from the Gambling Commission in respect of conditions and codes of practice. Updated guidance was published in May 2009. Full details of the guidance can be found on the Gambling Commission's website: <a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a> <b>Clarification</b>
3.5.2 Door Supervisors	This requirement does not apply to door supervisors at licensed casino or bingo premises, who are exempt from the licensing requirements of the Private Security Industry Authority Act 2001.	This requirement does not apply to 'in house' employees working as door supervisors at licensed casino or bingo premises, who are exempt from the licensing requirements of the Private Security Industry Authority Act 2001. <b>Additional wording for clarification. Provided by the guidance from the Gambling Commission.</b>
3.11.2 Bingo	The holder of a bingo premises licence may, in addition to bingo in all its forms, make available for use up to 4 category B machines (B3 & B4) and any number of Category C & D machines.	<b>UPDATED GUIDANCE FROM THE GAMBLING COMMISSION (INCREASE FROM 4 TO 8 CATEGORY B MACHINES)</b>  The holder of a bingo premises licence may, in addition to bingo in all its forms, make available for use up to <u>8</u> category B machines (B3 & B4) and any number of Category C & D machines.
ANNEX 1 Licensing Authority Delegations	Sub-Committee of Licensing Sub-Committee	Licensing Acts Sub-Committee <b>Self-explanatory</b>

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ANNEX 4 Gaming Machine Categories	<table border="1" data-bbox="443 308 1048 703"> <thead> <tr> <th>Category of Machine</th> <th>Maximum Stake</th> <th>Maximum Prize</th> </tr> </thead> <tbody> <tr> <td>B2</td> <td>£100</td> <td>£500</td> </tr> <tr> <td>B3A</td> <td>Not currently listed</td> <td>Not currently listed</td> </tr> <tr> <td>C</td> <td>50p</td> <td>£35</td> </tr> <tr> <td>D</td> <td>10p or 30p when non-monetary prize</td> <td>£5 cash or £8 non-monetary prize</td> </tr> </tbody> </table>	Category of Machine	Maximum Stake	Maximum Prize	B2	£100	£500	B3A	Not currently listed	Not currently listed	C	50p	£35	D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize	<p data-bbox="1061 231 1332 263"><b>UPDATED GUIDANCE</b></p> <table border="1" data-bbox="1077 288 1883 1410"> <thead> <tr> <th>Category of Machine</th> <th>Maximum Stake (until June 2009)</th> <th>Maximum Prize (until June 2009)</th> <th>Maximum Stake (from June 2009)</th> <th>Maximum Prize (from June 2009)</th> </tr> </thead> <tbody> <tr> <td>B2</td> <td>£100 (in multiples of £10)</td> <td>£500</td> <td>£100 (in multiples of £10)</td> <td>£500</td> </tr> <tr> <td>B3A</td> <td>£1</td> <td>£500</td> <td>£1</td> <td>£500</td> </tr> <tr> <td>C</td> <td>50p</td> <td>£35</td> <td>£1</td> <td>£70</td> </tr> <tr> <td>D – non-money prize (other than a crane grab machine)</td> <td>30p</td> <td>£8</td> <td>30p</td> <td>£8</td> </tr> <tr> <td>D – non-money prize (crane grab machine)</td> <td>30p</td> <td>£8</td> <td>£1</td> <td>£50</td> </tr> <tr> <td>D (money prize)</td> <td>10p</td> <td>£5</td> <td>10p</td> <td>£5</td> </tr> <tr> <td>D – combined money and non-money prize (other than a coin pusher or penny falls machine)</td> <td>10p</td> <td>£8 (of which no more than £5 may be a money prize)</td> <td>10p</td> <td>£8 (of which no more than £5 may be a money prize)</td> </tr> <tr> <td>D – combined money and non-money prize (coin pusher or penny falls machine)</td> <td>10p</td> <td>£8 (of which no more than £5 may be a money prize)</td> <td>10p</td> <td>£15 (of which no more than £8 may be a money prize)</td> </tr> </tbody> </table> <p data-bbox="1899 263 2143 375">Updated guidance from the Gambling Commission – published May 2009</p> <p data-bbox="1106 1465 1131 1497">5</p>					Category of Machine	Maximum Stake (until June 2009)	Maximum Prize (until June 2009)	Maximum Stake (from June 2009)	Maximum Prize (from June 2009)	B2	£100 (in multiples of £10)	£500	£100 (in multiples of £10)	£500	B3A	£1	£500	£1	£500	C	50p	£35	£1	£70	D – non-money prize (other than a crane grab machine)	30p	£8	30p	£8	D – non-money prize (crane grab machine)	30p	£8	£1	£50	D (money prize)	10p	£5	10p	£5	D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)	10p	£8 (of which no more than £5 may be a money prize)	D – combined money and non-money prize (coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)	10p	£15 (of which no more than £8 may be a money prize)
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<p>ANNEX 4 Premises Type and Machine Category</p>	<p>Regional Casino (machine/table ratio of 25-1 up to maximum) Maximum of 150 machines. Any combination of machines in categories A to D, within the total limit of 1250 (subject to table ratio)</p> <p>Bingo Premises – Maximum of 4 machines in category B3 or B4</p> <p>Clubs or miners’ welfare institute (with permits) – Maximum of 3 machines in categories B4 to D</p>	<p><b>UPDATED GUIDANCE FROM THE GAMBLING COMMISSION</b></p> <p>Removal of Regional Casinos</p> <p>Bingo Premises – Maximum of 8 machines in category B3 or B4</p> <p>Clubs or miners’ welfare institute (with permits) – Maximum of 3 machines in categories B3A or B4 to D</p>