

Cabinet Agenda



12 November 2024 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor S J Robinson (Chair and Leader)
Councillor L Foster (Fairer Chelmsford
and Deputy Leader)

and Councillors

Councillor C Davidson (Finance)
Councillor N Dudley (Active Chelmsford)
Councillor D Eley (Safer Chelmsford)
Councillor R Moore (Greener Chelmsford)

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Dan Sharma-Bird in the Democracy Team on Chelmsford (01245) 606523 email dan.sharma-bird@chelmsford.gov.uk

THE CABINET

12 November 2024

AGENDA

PART 1 – Items to be considered when the public are likely to be present

1. Apologies for Absence

2. Declarations of Interest

All Members must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. Minutes and Decisions Called in

Minutes of meeting on 8 October 2024. Item 7.1 had been called in and considered on 4th November.

4. Public Questions

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Cabinet is responsible. The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk at least 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

5. Members' Questions

To receive any questions or statements from councillors not members of the Cabinet on matters for which the Cabinet is responsible.

6. Active Chelmsford Item

6.1 Rural England Prosperity Fund (24/25 allocations)

7. Finance Item

7.1 Treasury Management Mid-Year Review

8. Report from Licensing Committee

8.1 Gambling Act 2005 – Statement of Principles 2025-2028

9. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency and which does not constitute a key decision.

10. Reports to Council

The officers will advise on those decisions of the Cabinet which must be the subject of recommendation to the Council.

PART 2 (Exempt Items)

To consider whether to exclude the public from the meeting during the consideration of the following matters, which contain exempt information within the category of Part 1 of Schedule 12A to the Act indicated:

11. Leaders Item

11.1 Co-Working Space Provision, Coval Lane (Phase 1 Building), Second Floor

Category: Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding the information)

Public interest statement: It is not in the public interest to release details of this report at present, on the grounds that the report contains information that is commercially sensitive and to place the information in the public realm will be detrimental to the negotiations to be undertaken by the Council

MINUTES OF CHELMSFORD CITY COUNCIL CABINET

on 8 October 2024 at 7pm

Present:

Cabinet Members

Councillor S Robinson, Leader of the Council (Chair)
Councillor L Foster, Deputy Leader and Cabinet Member for a Fairer Chelmsford
Councillor C Davidson, Cabinet Member for Finance
Councillor N Dudley, Cabinet Member for an Active Chelmsford
Councillor D Eley, Cabinet Member for a Safer Chelmsford
Councillor R Moore, Cabinet Member for a Greener Chelmsford

Cabinet Deputies

Councillor S Goldman, Cabinet Deputy for Economic Development and Strategic Projects
Councillor J Lardge, Cabinet Deputy for Cultural Services

Opposition Spokespersons

Councillors, J Armstrong, J Jeapes, J. Raven, M Steel, A Thorpe Apps and R Whitehead

Also present: Councillors H. Clark, Hyland and A. Sosin

1. Apologies for Absence

Apologies for absence were received from Cllrs Dobson and Sherlock.

2. Declarations of Interest

Members of the Cabinet were reminded to declare at the appropriate time any interests in any of the items of business on the meeting's agenda.

3. Minutes and Decisions Called-in

The minutes of the meeting on 10 September 2024 were confirmed as a correct record. No decisions had been called in.

4. Public Questions

[One public question had been submitted in advance, relating to Rectory Lane East Car Park and can be viewed via this link.](#)

The Cabinet were asked how the public had been consulted on the loss of the car park and if so, what had the result been. They were also asked why the car park was being removed when it would be the first car park for anyone entering the city via Regiment way or Chelmer Valley Road, where more houses were planned in North Chelmsford.

In response to the question raised, the Deputy Leader stated that the site had been included in the Local Plan and in the current review, where there had been opportunities for public comments. The Cabinet also heard that the planning process was an open one and the comments by the public had led to the recent application being considered by the Planning Committee. The Cabinet were also informed that the car park in question had 60 of the 3100 spaces across the Council's Car parks, and there were two other car parks within a few minutes of it. The Deputy Leader also referred to the two new car parks at Beaulieu Station and noted that many residents in those areas would park there in the future to commute via train, instead of using Chelmsford station and the car parks in the City Centre. The Deputy Leader also emphasised the importance of allocating the site as housing, due to the high number of households in temporary accommodation, and the need for more affordable housing in a City Centre location.

5. Members' Questions

At this point of the meeting, Cabinet Members were asked questions by members of the opposition.

Cllr Jeapes asked a question on why the old pool site at Riverside had not yet been sold to reduce the cost of the scheme and to build apartments on it, thereby obtaining affordable housing at the same time. They also asked why it had laid dormant for over five years and what plans were in place to bring it into use as soon as possible. In response the Deputy Leader stated that whilst it may look like nothing had happened with the site, it had been allocated in the Local Plan and a vast amount of work had been undertaken to explore the possible sale and use of the site. The Cabinet also heard that the value of the site would be greatly enhanced once planning permission had been granted and officers were exploring and working through issues with the site before applying for planning permission. The Cabinet were also informed that the Environment Agency had changed their requirements on flooding, which therefore had been taken into consideration. The Leader of the Council also stated that previously developed brownfield sites were difficult to develop due to the existing land value of such sites, the world economy had changed greatly since 2019 especially with building costs having risen hugely and that a range of design options were being looked at.

Cllr Steel asked a question regarding the significant number of vacant dwellings in the public sector nationally that were left vacant, if these vacancies were monitored by the City Council and if so what the latest figures were. They also noted that the Local Government Association estimated that there were 1 million unoccupied properties across England and if the Council were monitoring this and had a strategy regarding it. They also asked if the Council knew how many empty private rental properties there were in Chelmsford. In response the Deputy Leader stated that regular meetings were held with registered providers and they did not think

there was a major issue with vacant properties from registered providers in Chelmsford. The Cabinet also heard that privately owned vacant properties were monitored by the Council and this had last been reviewed at a strategic level in 2021 and would be reviewed again in 2025. The Deputy Leader also referenced the changes made to Council Tax reductions to encourage empty properties to be brought back into use and highlighted the various powers available to the Council. The Cabinet also heard that the average time CHP properties were vacant could be looked into and that Councillors could raise any specific cases with them. The Leader of the Council also stated there were less vacant CHP properties than a few years before and that it was very difficult and costly to track down the owners of long term vacant properties.

Other questions were asked by opposition members under the relevant items already on the agenda.

6.1 Annual Financial Review 2024/25 (Finance)

Declarations of interest:

None.

Summary:

The Cabinet were provided with an update on the Council's overall financial outlook for current and future years and were requested to agree or vary the proposals contained within the report. The Cabinet were informed of the budget forecast and the proposals within the report which were to be used as a basis to prepare the 2025/26 budget. The actions recommended to achieve a balanced 2025/26 were to review capital spending to ensure it remained affordable, to continue to explore options to reduce the costs of providing services, to review fees and charges, to continue pressing Government to provide more financial support or open up additional options for funding local government and if they were not sufficient, to explore a charge for the collection of garden waste. The Cabinet were also asked to approve the amended capital programme.

The Cabinet Member for Finance stated that Local Government finance was an issue across the country as Governments over a long period had not funded local authorities sufficiently. It was hoped the Autumn Budget would assist, but the Council needed to find its own way to fill the budget shortfall and maintain services. The Cabinet Member stated that the Council had managed its finances well during the year, spending was below budget in some areas, but there were still trends leading to large budget gaps each year, due to rising temporary accommodation, fuel and staffing costs. The Cabinet Member stated that a balanced budget for 2025/26 would be presented at Full Council in February 2025 and that before then the financial support from Government should be clearer, but actions were required for if the support was not sufficient. The Cabinet Member referred to the actions detailed in the report, and highlighted two areas, a review of the levels of service provision to determine they remained affordable and the development of a scheme to charge for the collection of garden waste. The Cabinet Member also called for support from the Government to act on the crisis in Local Government finance.

Options:

To agree or vary the proposals contained within the report whilst paying regard to the financial sustainability of any amendments.

Preferred option and reasons:

To accept the report's projections and recommendations. The report outlined the likely financial outcomes based on current approved policy and budgets.

Discussion:

The Leader of the Opposition acknowledged that the report was a statement of the current position and that there were multiple difficult decisions that would need to be taken. They also stated that they did not expect sufficient support for Councils from the Government. The Cabinet heard that the opposition felt a lack of information and underlying financial numbers had been presented on recent land and property decisions and they queried the use of small sites for new housing when larger sites remained vacant. The Cabinet also heard that the opposition were of the view that capital strategy should be reappraised by the Cabinet. and changes to fees and charges would not be sufficient to balance the budget. Instead a further look at the corporate strategy on property matters could achieve additional and rapid capital sales whilst also providing additional affordable housing which would reduce the Council's Homelessness costs.. The Cabinet also noted the request for a Car Parking strategy which was going to be considered by the Overview and Scrutiny Committee. The Cabinet Member for Finance was also asked by another member whether, capital spending could be deferred for future years and if the Government could be canvassed to require CIL contributions to be paid in advance to Council's.

In response to the points raised, the Cabinet Member for Finance stated that, they were and would continue to look at what capital spending could be deferred and if all planned spending could be achieved within the initially planned timescales. They also informed the Cabinet that the proposals detailed in the report, were in effect what the opposition had asked them to do, as they would be reviewing the Capital Programme to reduce costs where appropriate. The Cabinet Member stated that they had noted the opposition's comments and would consider them when preparing the budget proposals for February 2025. The Leader of the Council also highlighted the difficulty in building works in recent years due to rising costs and that in the response to the draft National Planning Policy Framework proposals, they had asked for mandated build out rates to assist with CIL collection.

RESOLVED that;

1. the financial forecast be noted and used as a basis to prepare the 2025/26 budget. In particular, that Cabinet;
 - review capital spending to ensure it remains affordable;
 - continue to explore options to reduce the costs of providing services;
 - review fees and charges;
 - continue pressing the Government to provide more financial support or open up additional options for funding local government;
 - in case these actions are not sufficient for a balanced 2025-26 budget to be set, consider how a new charge for collecting garden waste could be introduced.
2. the amended capital programme be approved (appendix 2)

(7.18pm to 7.42pm)

7.1 Declaration of John Shennan Field as a Local Nature Reserve (Greener Chelmsford)

Declarations of interest:

None.

Summary:

The Cabinet were asked to consider declaring John Shennan Field as a Local Nature Reserve and to register the LNR with Natural England. The Cabinet were informed that making the declaration would help the Council meet the objectives and targets set in the Climate and Ecological Emergency Action Plan and the Green Infrastructure Plan.

The Cabinet Member for Greener Chelmsford stated that they were very pleased to be in a position to recommend the declaration and the excellent work of the parks team and other officers involved should be acknowledged. They informed the Cabinet that the area was the only green space in the densely populated Moulsham Lodge Ward and that it was close to schools and was a vital component in connecting habitats to other ones. The Cabinet also heard that the declaration met the Council's strategic objectives and that the site had been removed from the Local Plan back in July 2019, to protect the important green space for residents. The Cabinet Member also stated that there was a significant social value from high quality green spaces and that it would allow nature to prosper. The Cabinet also heard that as the site was within the Council's ownership, they would be able to involve the community who had contributed so greatly to the space and encourage corridors for wildlife. The Cabinet Member stated that the declaration would be an important step in meeting the Council's priorities.

Options:

1. Declare John Shennan Field as a Local nature Reserve and register the LNR with Natural England on the national register of LNR's.
2. Not make such a declaration.

Preferred option and reasons:

The preferred option was to make the declaration and complete the registration process in pursuit of the City Council's Climate and Ecological Emergency Action Plan and the Green Infrastructure Plan adopted as part of the Local Plan. This also accorded with the Our Chelmsford Our Plan priority to implement measures to protect and expand natural green spaces, improve habitat value and increase biodiversity.

Discussion:

The Opposition spokesperson for Greener Chelmsford thanked officers for the production of the report and for the hard work of volunteers at the site, which had led to a green space that Natural England were happy to support as an LNR. The Cabinet were informed however, that they did not view a declaration as necessary and that it would remove a wide variety of opportunities to use the site in the future. They informed the Cabinet that no changes to the current maintenance of the site were being proposed and therefore, why did the declaration need to be made. They also informed the Cabinet that the land value could be damaged, income could not be diversified on the site, such as from solar panels and areas such as the car parks and play areas had been included in the designation site. The Cabinet also heard

that the site had previously been a landfill site so had considerable underlying issues and the designation would restrict further improvements in the future.

In response the Cabinet Member for a Greener Chelmsford stated that the status would safeguard the area, provide opportunities for other projects such as an urban forest and the administration had set out to protect and enhance areas for the benefit of nature as well as those living in the communities. They also stated that there were concerns about the quality of the land underneath the field but that did not prevent them from ensuring the land above was as enriched as possible. They also informed the Cabinet that the parks team would continue to carry out the management plan for the site. The Cabinet also heard from one of the Ward Members for Moulsham Lodge, who thanked officers and residents for their hard work in planting thousands of trees on the site and highlighted the importance of the only green space in the area, that needed to be protected for future generations.

The Leader of the Opposition also stated that the decision could be called in and highlighted the housing crisis, where the site in question due to being under Council ownership could instead be used for housing rather than a local nature reserve. They also highlighted a lack of other options in the report and stated that the housing crisis was more important for the Council than declaring an LNR. The Cabinet were also asked by another member, if any business case figures or social value reporting had been seen and if the site was a maintenance cost or a revenue earning opportunity instead. They were also asked if a nature reserve was a higher priority than affordable housing.

In response to the further points, the Deputy Leader stated that the site was contaminated and building on the site would not be viable in terms of achieving affordable housing and that despite the importance of providing much needed affordable housing, they could not simply build on every site. The Cabinet Member for a Greener Chelmsford also stated that the site would require significant remediation works, therefore leading to developers providing less affordable housing on the site and highlighted the importance of retaining the only green space in the area.

RESOLVED that;

1. Cabinet supported the declaration of John Shennan Field as a Local Nature Reserve and;
2. Requested that the site is listed on the Natural England register of Local Nature Reserves.

(7.43pm to 8.02pm)

8. Urgent Business

There were no items of urgent business.

9. Reports to Council

No reports were subject of a recommendation to Council.

The meeting closed at 8.03pm

Chair



Chelmsford City Council Cabinet

12 November 2024

Rural England Prosperity Fund (REPF)

Report by:

Cabinet Member for Active Chelmsford

Officer Contact:

Jennifer Gorton – Economic Development Lead

01245 606367, Jennifer.gorton@chelmsford.gov.uk

Purpose

To update Cabinet on the Rural England Prosperity Fund (REPF) and provide details of the 2024/25 Grant Scheme. To seek a decision on whether to approve the recommendations made by the Community Funding Panel for the allocation of the 2024/25 REPF monies.

Options

1. To accept the recommendations as set out within this report
2. To make amendments to the recommendations set out within this report
3. To not accept the recommendations within this report

Preferred option and reasons

Option 1 is the preferred option. The Community Funding Panel have discussed the applications made for the 2024/25 REPF grant scheme and have made recommendations for the allocation of this funding, as set out within this report. Due to the tight timeframes involved, any option other than option 1 may jeopardise the ability to spend Chelmsford City Council's allocation of REPF by the 31st March 2025 deadline.

Recommendations

1. To note the update on the Council's allocation of Rural England Prosperity Fund.
2. To approve the recommendations made by the Community Funding Panel for the allocation of the Council's 2024/25 REPF monies as set out in appendix 1.
3. That authority is delegated to the Director of Corporate Services, in consultation with the Community Funding Panel, to take any necessary decisions required in order to ensure that the 2024/25 REPF is spent within the stated timeframes.

1. Background

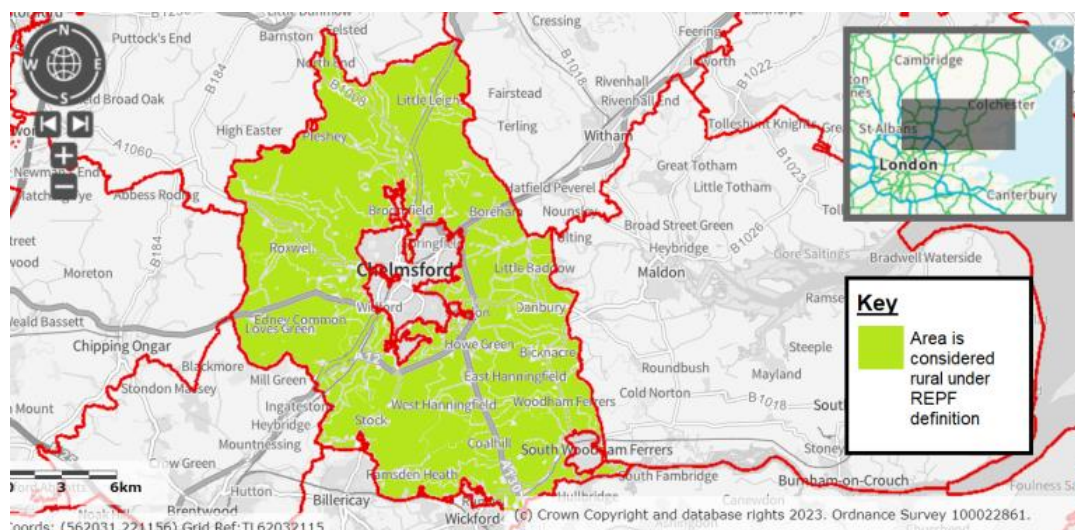
1.1 The Rural England Prosperity Fund (REPF) was announced in September 2022. It is a top-up to the UK Shared Prosperity Fund (UKSPF) and succeeds EU Funding from LEADER and the Growth Programme.

1.2 The scheme has been developed to fund capital projects for small businesses and community infrastructure, aimed at improving productivity and strengthening the rural economy and rural communities.

1.3 For the purposes of the Fund, rural areas as defined by DEFRA are:

- Towns, villages and hamlets with populations below 10,000
- Market or 'hub towns' with populations of up to 30,000 that serve their surrounding rural areas as centres of employment and in providing services

1.4 A map showing the Chelmsford areas considered rural under the REPF definition can be seen below:



1.5 Chelmsford has been allocated £400,000 of REPF to cover a two-year period from 2023/24 to 2024/25.

2. Rural England Prosperity Fund Grant Scheme 2023/24

- 2.1 In 2023/24 Chelmsford City Council was able to access £100,000 of its allocated £400,000 of REPF.
- 2.2 Officers engaged with a range of internal and external partners, including the Rural Community Council for Essex (RCCE) and the Country Land and Business Association (CLA) to develop a grant scheme for the fund.
- 2.3 The 2023/24 grant scheme enabled rural businesses and community groups to bid for funding up to the value of £10,000. Projects were required to have 20% match funding in place.
- 2.4 In total nine projects, consisting of six businesses and three community organisations, received REPF funding. Two additional community organisations were allocated REPF funding by the Community Funding Panel, however, were not progressed as they failed to provide the evidence required to secure funding.

3. Rural England Prosperity Fund Grant Scheme 2024/25 (current round)

- 3.1 Chelmsford City Council has been awarded £300,000 in REPF for the financial year 2024/25. Additionally, the unallocated spend from 2023/24 (£15,000) has been authorised by DLUHC / MHCLG to be rolled across, giving Chelmsford City Council a total of £315,000 to allocate in 2024/25.
- 3.2 Once again, a grant scheme was launched inviting applications from rural businesses and rural community organisations to bid for the REPF monies to support capital projects, which meet the aims of the Fund. The scheme invited applications between July and August 2024.
- 3.3 The 2024/25 REPF grant scheme replicated the 2023/24 grant scheme. The main difference with the current grant scheme from the previous year's scheme is that the grant amount on offer has been increased to £20,000. This reflects the larger amount of REPF funding available. A match funding requirement of 20% remained.
- 3.4 In total 54 applications were received. Of those, seven applications were ineligible for funding. The remaining eligible applications had a combined financial request of £776,829 against a REPF grant availability of £315,000.
- 3.5 The greatest number of applications came from the private sector, with 31 applications falling within this category. 12 applications came from voluntary organisations and registered charities, two applications came from Parish Councils, one application from the category of higher and further education institutions and one application classed as 'other'.

4. Projects recommended for funding

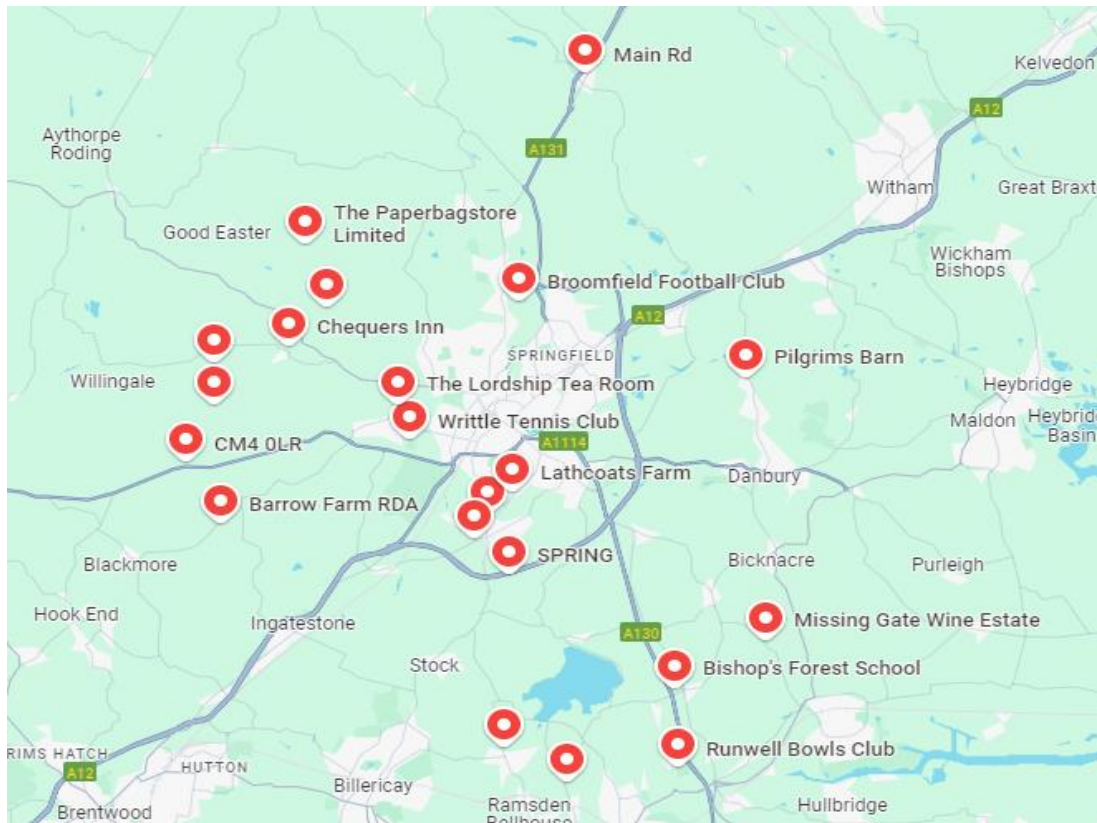
4.1 All eligible applications were scored by members of the Economic Development Team, using a scoring matrix. Once this exercise had been completed, the scores were then moderated and any significant disparities were reviewed and discussed, with a final score agreed upon.

4.2 This information was shared with the Community Funding Panel. The Community Funding Panel consists of:

- The Cabinet Member for an Active Chelmsford (Chair)
- The Cabinet Member for Finance
- The Cabinet Deputy for Sustainable Transport and Climate Ambassador
- Director of Sustainable Communities
- Director of Connected Chelmsford
- Economic Development and Implementation Manager
- External Funding Professional

4.3 The Community Funding Panel met on the 7th October 2024. The Panel reviewed the applications and discussed the options for allocating funding. The recommendations of the Panel for the allocation of the 2024/25 REPF monies are set out in appendix 1. The Panel are recommending allocating funding to 21 projects. In many instances, the grant funding is allocated to a specific aspect of a broader project.

4.4 The map below shows the geographical spread of the projects that the Panel are recommending to allocate REPF funding to. Of the 21 applications being recommended for funding, 11 are from the private sector, eight are from community / charity organisations, one is from a parish council and one is from a higher education institution.



4.5 Appendix 1 highlights two projects that have been pre-approved, under an officer delegation in consultation with the Community Funding Panel, which enables grants of £10,000 and under to be awarded. These projects are Broomfield Football Club (project 2) and the Roxwell Chequers Community Society (project 6). The decision to pre-approve these two projects under delegated authority was taken, as both are time sensitive and both organisations needed the funding commitments in order to secure additional funding from other sources or to meet other key requirements. Without timely approval there was a risk to the overall projects.

5. Checks and Due Diligence

5.1 Work has begun to carry out checks on all of the organisations that have been recommended by the Community Funding Panel to receive REPF funding. These include financial checks and checks with internal teams including business rates, planning, food safety, parks and leisure as appropriate.

5.2 If Cabinet approve the recommendations set out within this report, once the checks are satisfactorily completed, funding contracts will be drawn up and issued, in line with both Council and Government (REPF) requirements. Reporting requirements will be set out within these contracts.

5.3 Prior to funding being issued, quotes for the work, invoices, financial details and other relevant information will be obtained.

5.4 In line with the REPF funding timetable, all funding needs to be transferred and spent by the 31st March 2025.

6. Conclusion

6.1 The REPF was launched in September 2022 and allocated £400,000 to Chelmsford to support the rural economy and rural communities. £100,000 of the Fund was available in 2023/24 with the remainder being made available to allocate in 2024/25.

6.2 Chelmsford City Council launched a grant scheme in 2024/25 inviting rural business and community organisations to apply for funding of up to £20,000 to support capital projects which strengthen the rural economy and support local rural communities. A match fund of 20% was required.

6.3 54 applications were received from the grant round. The Community Funding Panel are recommending 21 projects are approved and allocated REPF monies.

List of appendices:

Appendix 1 – Community Funding Panel Recommended Projects

Background papers:

REPF Prospectus - [Rural England Prosperity Fund: prospectus - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/Rural_England_Prospersity_Fund_prospectus.pdf)

REPF Allocations - [Rural England Prosperity Fund: allocations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/Rural_England_Prospersity_Fund_allocations.pdf)

REPF Interventions, objectives and outputs and outcomes list - [Rural England Prosperity Fund interventions objectives outputs and outcomes list.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/Rural_England_Prospersity_Fund_interventions_objectives_outputs_and_outcomes_list.pdf)

Corporate Implications

Legal/Constitutional: The terms of reference for the Community Funding Panel within the Council's constitution include the officer delegation for awards of up to £10,000 in consultation with the Panel, referred to in the report. The decision as to whether to make any award at any level can be made by Cabinet as an executive matter. The matters that should be considered by Cabinet in making the final decision as to whether any awards should be made are set out in the report.

Financial: £400,000 REPF funding has been awarded to Chelmsford City Council for

the period 2023/24 and 2024/25. Any unspent funding remaining on the 31st March 2025, will need to be returned to MHCLG.

Potential impact on climate change and the environment: A number of the projects recommended for funding by the Community Funding Panel have positive environmental impacts and work towards reducing carbon footprint. All applications were required to address the environmental impact of the proposed project and detail any mitigations that would be put in place.

Personnel: Delivery of the REPF requires significant staff resources from the Economic Development Team, as well as other Council departments.

Risk Management: As with the UKSPF, there will be an ongoing need for robust programme management to ensure that the projects identified are delivered.

Equality and Diversity: The REPF has been introduced with the aims of creating stronger communities and increasing life chances across the country. The delivery of the REPF will have a positive impact in this area.

Health and Safety: None

Digital: None

Other: None

Consultees:

- Director of Sustainable Communities
- Director of Connected Chelmsford
- The Economic Development Team
- The Cabinet Member for an Active Chelmsford
- The Cabinet Member for Finance
- The Cabinet Deputy for Sustainable Transport
- Lorraine Jarvis – CVS

Relevant Policies and Strategies:

Our Chelmsford Our Plan - [Our Chelmsford, Our Plan](#)

Appendix 1 – Community Funding Panel Recommended Projects

	<u>Project Name</u>	<u>Organisation</u>	<u>Brief Description</u>	<u>Recommended Allocation</u>
1	Bishop's Forest School development (Rettendon)	Bishop's Forest School	To improve access path, purchase pre-school equipment and plant trees to open pre-school in Spring 2025.	£20,000
2	Broomfield Football Club (Broomfield)	Broomfield Football Club	To install pitch rail to enable the men's team to participate in the Essex Olympian League	£10,000
3	Business Machinery Enhancement and Growth (Roxwell)	Cookies and Koalas	To purchase two additional print machines to enable business to grow	£20,000
4	CCTV Installation/upgrade (Roxwell)	Essex County Scout Council/ Skreens Park Activity Centre	To install a high-quality CCTV system	£10,500
5	Downham Dairy Barn (South Hanningfield)	NJ & GM Lambert	To regenerate unused farm to create a Food Hall and animal experience area	£20,000
6	Energy efficient appliances for new commercial kitchen (Roxwell)	Roxwell Chequers Community Benefit Society	To equip a new commercial kitchen at the community owned Chequers Inn allowing a regular food offering	£9,970
7	Farm Shop and Food Education Centre (Writtle)	Anglia Ruskin University	To create a market garden and farm shop	£20,000
8	Galleywood Heritage Centre Replacement Windows and Damp Proofing (Galleywood)	Galleywood Heritage Centre	To replace windows to improve security, protect archive room and reduce energy loss	£20,000
9	Growing Writtle Sunflowers: Phase Two (Writtle)	D R Metson & Partners LLP	To install a shop front to sell locally made craft goods	£13,000
10	Mini Basketball Court (South Hanningfield)	South Hanningfield Parish Council	To provide a recreational basketball court in the village centre	£5,000
11	Missing Gate Wine Estate Wine Tasting (Woodham Ferrers and Bicknacre)	Missing Gate Vineyard (Food Physics Limited)	To purchase a pavilion to enable wine tasting events to take place	£19,542
12	Pilgrims Barn "B&B" (Little Baddow)	Pilgrims Barn "Bed and Breakfast" (B&B)	To install EV charging, improve lighting and fenestration	£6,827
13	Plan BEE (Great and Little Leighs)	Plan BEE	To grow business installing honey bee colonies / bee hives in businesses around Essex	£10,000

14	Playing Field Clubhouse (Galleywood)	Galleywood Playing Field Management Committee	To replace existing clubhouse, which would enable new veteran team, futsal team, female teams to be introduced	£20,000
15	Productivity Automation improvement (Roxwell)	Thepaperbagstore Limited	To purchase new equipment to increase productivity	£20,000
16	Purchase of horse box for Riding for the Disabled (Highwood)	Barrow Farm Riding and Carriage Driving for the Disabled	To purchase a horse box to enable riders to compete	£20,000
17	Radio City Beer Works (Highwood)	Radio City Beer Works	To purchase kegs and a keg cleaning machine to reduce carbon footprint and grow business	£14,992
18	Runwell bowls club roof fund (Runwell)	Runwell Hospital Bowls Club part of Runwell Hospital Sports & Social Club Ltd	To make urgent repairs to the roof of the building	£5,000
19	SPRING Automotation & Capacity Growth (Galleywood)	Spring Food Ltd	To further increase capacity to keep up with demand and potentially sell to Ocado and Waitrose	£13,000
20	Table Top System at Lathcoats Farm (Galleywood)	W Lawrence Taylor Ltd	To develop the 'pick your own' tourism offer	£17,169
21	Writtle Tennis Club - New Clubhouse (Writtle)	Writtle Tennis Club	To replace existing clubhouse, with a fully accessible building enabling wheelchair tennis to be played at the club	£20,000
Total				£315,000



Chelmsford City Council Cabinet

12th November 2024

Treasury Management Mid-Year Review 2024/25

Report by:

Cabinet Member for Finance

Officer Contact:

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Purpose

To comply legislative requirements for reporting on treasury activities undertaken in the first part of 2024/25 and note compliance with the approved Treasury Management Strategy.

Options

1. Accept the recommendations contained within the report.
2. Recommend changes to the way by which the Council's investments are to be managed.

Preferred option and reasons

Recommend the report to Council, without amendment for their consideration and thereby meet statutory obligations.

Recommendations

That Cabinet note the contents of this report and request that Full Council review the report and approve that no changes are required to the 2024/25 Treasury Strategy.

1. Background

- 1.1. The Council has cash to invest arising from its revenue activities, capital balances and the collection of Council Tax and Business Rates. The Council can use borrowing only to fund its capital programme and for temporary liquidity. The activities around the management of Council cash and external borrowing are known as Treasury Management.
- 1.2. Under statute and the CIPFA Code of Practice on Treasury Management (“the Code”), members are required to receive reports on the Council’s Treasury Management (TM) activities. The report in Appendix 1 complies with the CIPFA Code of Practice and relevant Government regulations.
- 1.3. Full Council has overall responsibility for Treasury Strategy but delegates to the Treasury Management and Investment Sub Committee (TMISC) responsibility to monitor and recommend changes to the strategy. The Section 151 Officer of the Council is delegated to manage operational TM activities within the approved strategy.
- 1.4. Members of TMISC are asked to review the contents of the report and recommend that the Cabinet note its contents and seek Council approval for it.

2. Executive Summary

- No breaches of the 2024/25 Treasury Management Strategy have occurred.
- Higher than expected cash balances are estimated to increase investment income by £0.45m more than the budget for 2024/25.
- The Council remains internally borrowed to fund its capital investment; however, the council is expected to externalise debt towards the end of the financial year.
- No change to the TM Strategy is recommended for 2024/25.
- No changes are being made currently to the holdings of diversified investment funds. Any decisions to change holdings will be made under the operational delegation by the s151 officer.

3. Conclusion

- 3.1. Cabinet will be asked to accept the review of the Treasury Management Activity for the period to the end of August as endorsed by TMISC. No changes to the 2024/25 Treasury Management Strategy are recommended.

List of appendices:

Appendix 1 – Review of Treasury Management Activity (2024/25)

Background papers:

Nil

Corporate Implications

Legal/Constitutional: The report meets statutory obligations on reporting Treasury Management Activity.

Financial: As detailed in the report.

Potential impact on climate change and the environment:

Fund managers are required to consider ESG (Environmental, Social and Governance) factors in their investment process. All the fund managers would be expected to have signed up to the UN Principles for Responsible Investment (PRI). PRI argues that active participation in ESG and exercising shareholder rights on this basis can help to improve the performance of companies which may otherwise not address such concerns and so being an engaged corporate stakeholder is a more effective way to bring about change in corporate behaviour on ethical issues.

Further requirements from those identified above are not practical given the limited ability to directly influence any immediate change in the financial markets.

Contribution toward achieving a net zero carbon position by 2030: N/A

Personnel: N/A

Risk Management:

The report is part of the Council's approach to managing risks arising from Treasury Management.

Equality and Diversity: N/A

Health and Safety: N/A

Digital: N/A

Other: N/A

Consultees:

Relevant Policies and Strategies:

Treasury Management Strategy 2024/25

. Treasury Management Activity during the period 1st April 2024 – 31st August 2024

This report complies with the CIPFA Code by identifying the Council’s investments and external borrowings as at 31/08/2024 and compares treasury activity to the approved strategy.

1 **Liquidity Management and borrowing**

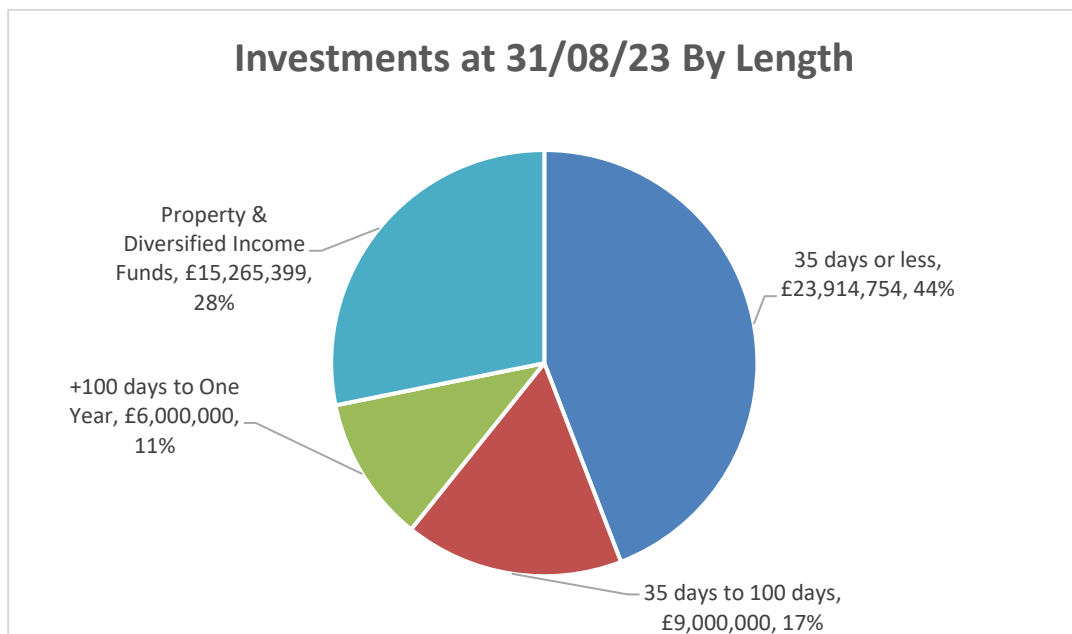
1.1 The Council has continued to keep a significant proportion of its portfolio available for instant access. This is because significant capital investment is being undertaken, including Waterside infrastructure, so investment balances will fall over the next few months. It is estimated that external borrowing will occur later in the financial year.

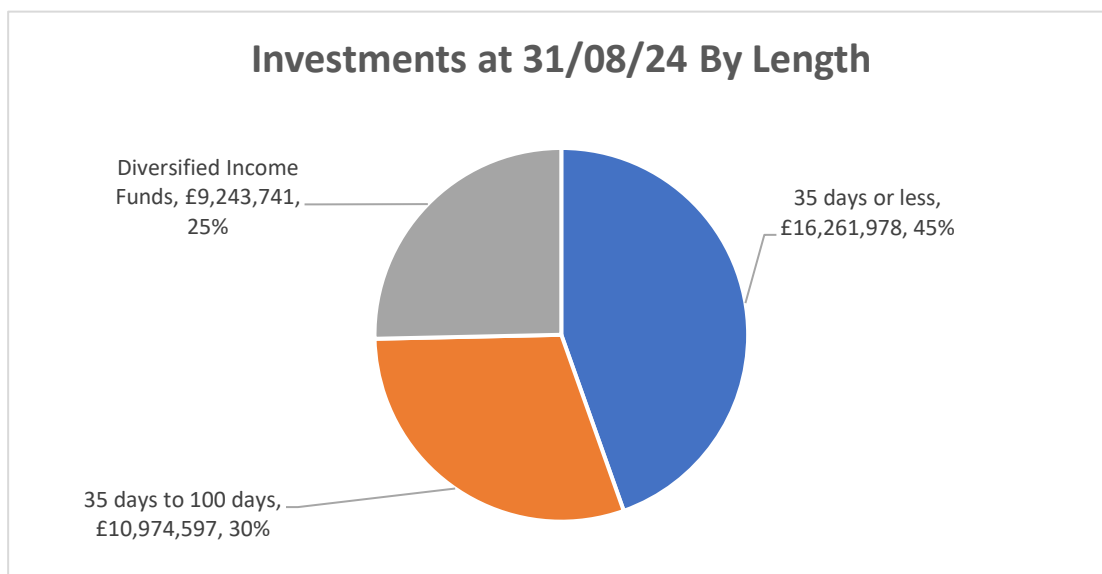
A net £35m is expected to be spent on capital schemes between now and the end of the financial year with the main items being £11m spent on Waterside, £8m towards Beaulieu station funded by S106, £7m on replacement programme.

To assist in managing liquidity, the Council set the following target in its Treasury Management Strategy.

A minimum of £5m of all investments are targeted to be invested for periods of 35 days or less.

Outcome: The target was achieved, and officers will continue to keep the average durations of investments short.

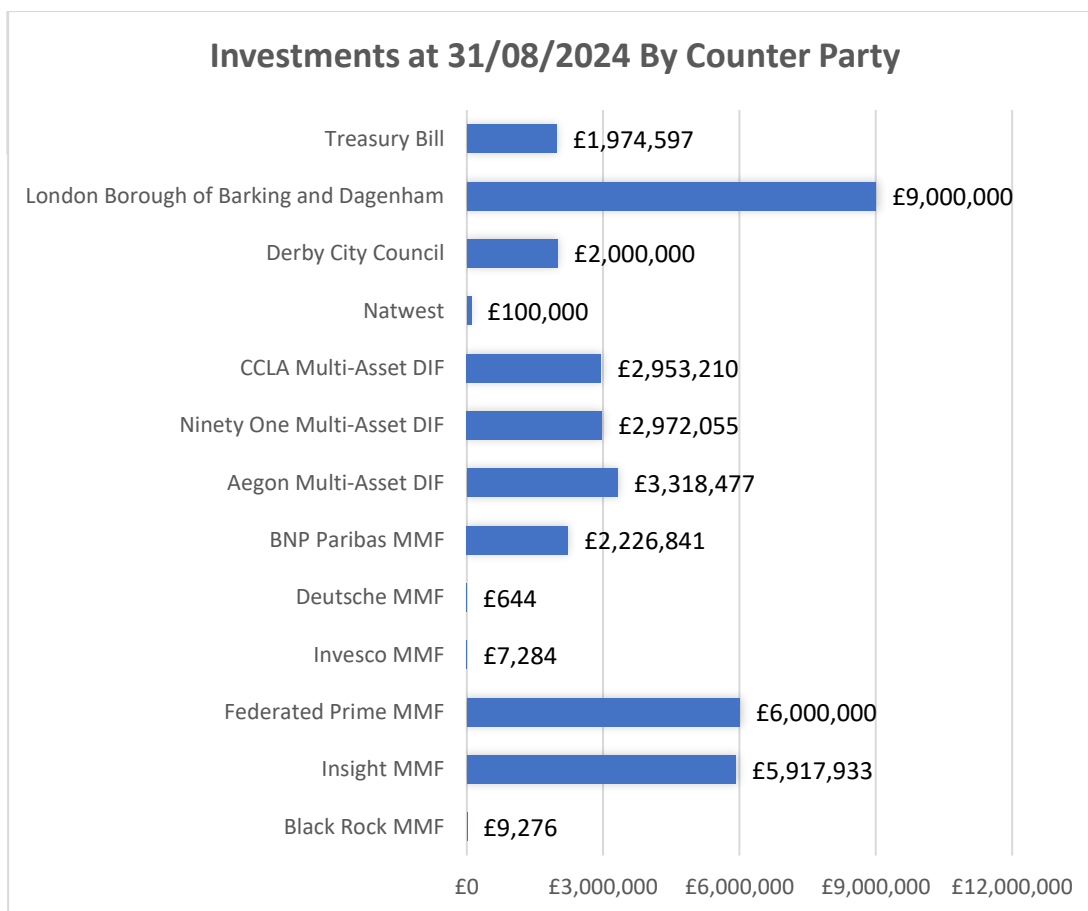




Investments at:	31/08/23	%
35 days or less	£23,914,754	44
35 to 100 days	£9,000,000	17
+100 days to 1 yr.	£6,000,000	11
Over 1 yr.	£0	0
Property & Diversified Monthly Income Fund	£15,265,399	28
Total	£54,180,153	100

Investments at:	31/08/24	%
35 days or less	£16,261,978	45
35 to 100 days	£10,974,597	30
+100 days to 1 yr.	£0	0
Over 1 yr.	£0	0
Diversified Monthly Income Fund	£9,243,741	25
Total	£36,480,316	100

- 1.2 The Council's Treasury strategy identified the following.
No fixed duration investments over 365 days are proposed for 2024/25; Current cashflow forecasts suggest there will be insufficient liquidity to make investments beyond 365 days. However, this should be retained as contingent possibility, so it is recommended that any investments beyond 365 days are at the discretion of the Section 151 Officer. For investments 2 years and over, consultation will be made with TMISC chair.
Outcome: The target has not been exceeded. Currently, none are proposed as a result of declining investment balances and a need to externalise debt.
- 1.3 **No breaches of counter-party limits have occurred.** The investments held by the Council are noted below.



The Council's investments banks are mostly fixed maturity dates and of a duration of less than one year.

The £9m investment is due back 18th November 2024 and the majority of this is expected to be paid over to ECC before the end of the financial year as part of the station s106 funding.

- 1.4 The Council cash balances will fall as the year progresses due to the normal outflow of Council Tax to other precepting bodies, the payments of Sec106 funds to ECC and capital programme spend. It is thought highly likely that external borrowing will occur in the second half of the current financial year, in January. A full review of the Council's forecast cashflow is taking place as part of the budget cycle which will update the long-term borrowing forecast.
- 1.5 **The Council has not undertaken any external borrowing in the year to date.** The funding of the approved Capital programme has required borrowing but to date that has been internal borrowing which reduces the amount the Council has to invest. The Council operates two external borrowing limits, the Authorised (maximum limit) which cannot be exceeded without Council agreement and an Operational boundary (which provides an expected level of external debt). The current limits are noted below.

	Limit
Authorised Limit of Borrowing	£55m
Operational Boundary of Borrowing	£39m

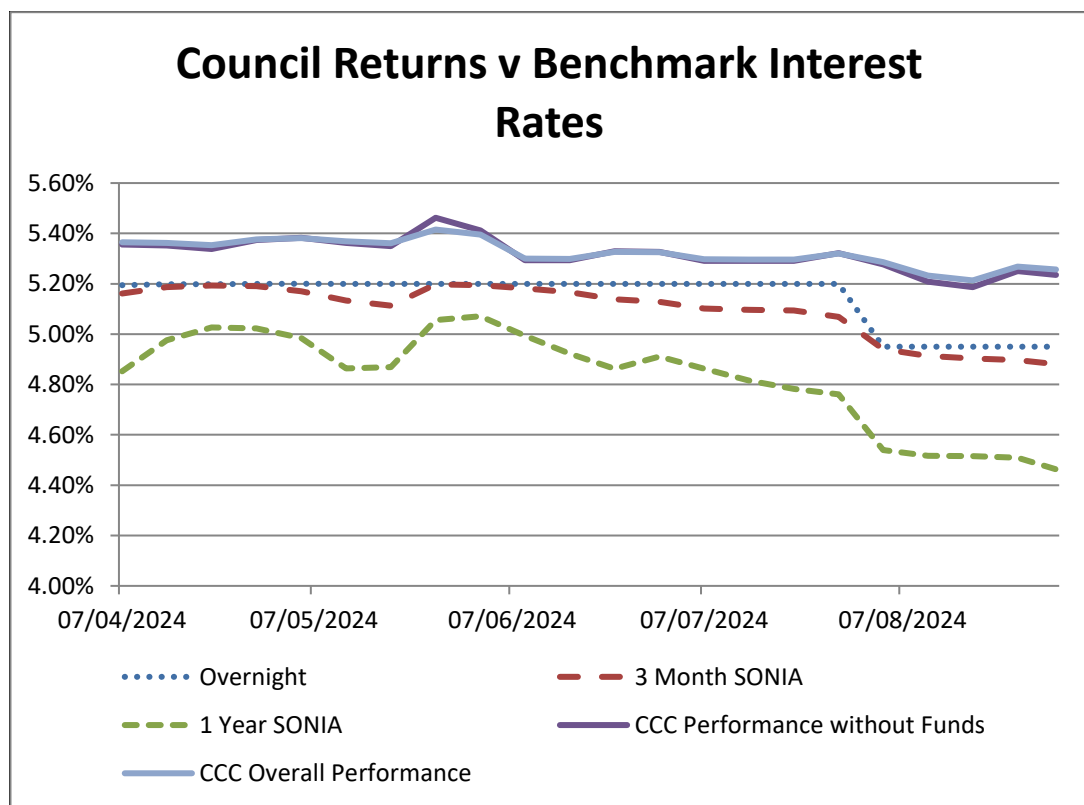
2. **Rate of Return**

2.1 The Bank of England Base rate stands at 5.0% after its first rate cut in August and remained unchanged in September. The Markets are forecasting a cut in November and possible further cuts before the end of the financial year.

On the 23rd of September, the one-month local authority loans were around 5.05% to 4.95% and one-year loans 4.95% to 4.8%, however there is a great deal of volatility in the market. Money Market Funds are currently running between 5.01% to 4.9% with other cash investments such as bank and building societies generally offering rates below the base rate, reflecting the expectation of further falls in interest rates.

The Council continues to invest in three multi-asset diversified income funds as part of its long-term strategy for returns and diversified portfolio. The returns are discussed in section 3.

2.2 Money market interest rates on average are just below bank rate. The Council returns are shown below alongside some comparable benchmark rates.



2.3 The Council’s income yield and income in 2024/25 is expected to be lower than last year with Bank of England base rate falling and the Council having less cash to invest.

2.4 The Council had an average yield on all its investments of 5.26% as at 31st August 2024. The budgeted income for 2024/25 from investment returns is £1.0m; this is expected to be exceeded for the year by £0.45m, mainly due to higher than forecast cash balances.

2.5 Interest rates are expected to have peaked following the rate cut in August and a further fall is forecast in November, by 0.25%. The Bank of England's Governor is suggesting rates will continue to be cut gradually. So, return rates on the Council's investments will fall as the year progresses.

3 Externally Managed Fund Performance

3.1 The Council is invested in three Multi Asset Diversified Income Funds. These are all intended to be longer term investments made from core cash (reserves) to generate a return for the Council at a higher rate than standard cash deposits. Capital values will fluctuate throughout the period of investment. During recent times, interest rates have gone up quickly leading to reduced prices paid for gilts and bonds. This has caused the market value of the funds to move downwards but values have begun to recover.

Fund	Initial Investment Value	01/04/2024 Investment Value	31/08/2024 Investment Value	Unrealised Gain/(Loss) (since inception)	Annualised Income Return on 1 st April Valuations	Annualised Total Return (2024/25)
CCLA DIF	£3,100,000	£2,953,208	£2,967,969	£-132,031	4.38%	5.58%
Aegon DIF	£3,600,000	£3,318,477	£3,389,412	£-210,588	6.25%	11.38%
Ninety One DIF	£3,300,000	£2,972,054	£2,999,468	£-300,532	5.21%	7.43%

- Aegon Multi-Asset Diversified Income Fund – A £3.6m investment was made into the Aegon DIF in June 2021.
 - Annualised income yield is 6.25% on the valuation at 1st April 2024.
 - Capital Value – 5.85% decrease on initial investment and 2.14% increase against April valuation.
- Ninety-One Multi Asset Diversified Income Fund – A £3.3m investment was made into the Ninety-One DIF in June 2021.
 - Annualised income yield is 5.21% on the valuation at 1st April 2024.
 - Capital Value – 9.11% decrease on initial investment and 0.92% increase on April valuation.
- CCLA Multi Asset Diversified Income Fund – A £3.1m investment was made into the CCLA DIF in July 2021.
 - Annualised income yield– 4.38% based on first quarter's dividend on the valuation at 1st April 2024.
 - Capital Value – 4.26% decrease on initial investment and 0.50% increase on April valuation.
 - This fund is the weaker performing on the three and under greater scrutiny by officers.

The annualised return on the funds is variable and is likely to change during the year.

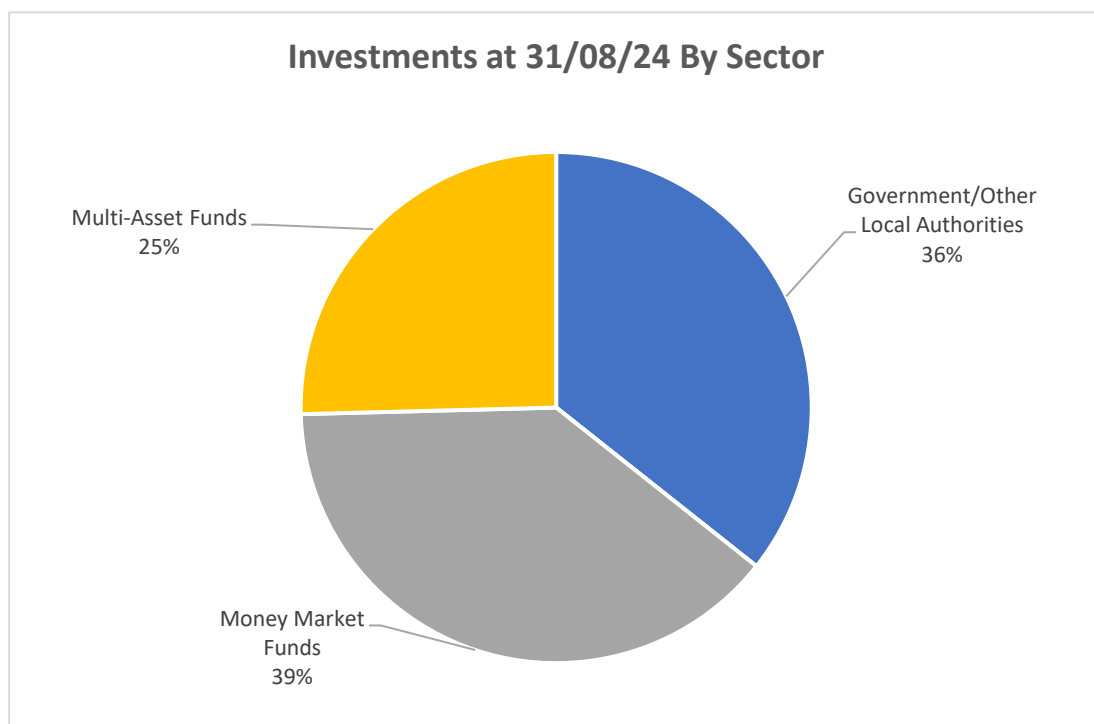
3.2 The return on all external funds should be looked at as a portfolio, allowing for periods of over- and underperformance for individual funds. If the performance of the first few months of this year were to continue, then the annualised income yield would be 5.32% on April valuation. The unrealised capital loss to date is £643K improving by £113K from April valuation. It is important to note the unrealised capital gain will fluctuate; the main objectives of the investment in funds are the spread of risks across asset types and improving annual income (yield).

3.3 The portfolio of funds has had a positive impact compared to cash on the overall income yield. The three funds have averaged a return of 5.32% improving the total investment return from 5.24% to 5.26%.

4 Bail-in Risk

4.1 This is the risk that regulators will step in and enforce losses on depositors to recapitalise a failing bank or building society, rather than rely on taxpayer bailouts.

4.2 Overall exposure to bail-in has reduced from last financial year to current due to holding local authority and treasury bill investments rather than private investments.



Exposure	As at 31 st August 2023	As at 31 st August 2024
Bail-in risk	72%	39%
Exempt from bail-in (including CCLA)	12%	36%
Diversified Income Funds	16%	25%
Total	100%	100%

The Diversified Income Funds will be partially exposed to bail-In risk, but it is not possible to identify specific risk due to the changing nature and proportion of their investments in bonds, equities, property etc. They have therefore been split out as a separate line in the table above for clarity. There has been no further investment in Diversified income funds, the increase in percentage holdings is the result of a reduction in total investments held by the Council.

5 External Borrowing

5.1 The Council has the freedom to borrow in the following circumstances:

- Short-term borrowing to manage liquidity
- Long-term borrowing is only used to fund capital expenditure if no other capital resources exist e.g. the Council has spent its capital receipts or expects to do so imminently.

5.2 Over the financial year end the Council had some short-term borrowing which was repaid at the beginning of April 2024. Currently there is no external loan borrowing. As previously noted, external borrowing is forecast to become necessary from around January 2025. External borrowing could be up to £32m by year-end. Loans taken out are expected to be kept short in duration as further interest rate cuts are expected.

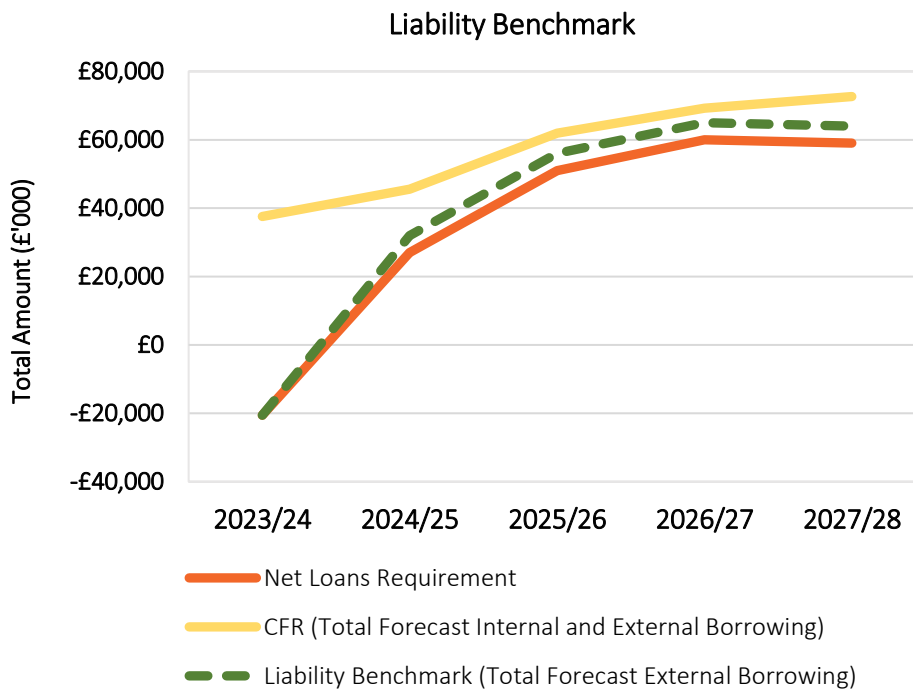
5.3 Liability Benchmark:

This indicator is a tool devised by CIPFA to help establish whether the Council is likely to be a long-term borrower or long-term investor. The liability benchmark is a calculation of the cumulative amount of external borrowing the Council must hold to fund its capital plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.

Ref.	Liability Benchmark	31/03/24 Actual (£m)	31/03/25 Forecast (£m)	31/03/26 Forecast (£m)	31/03/27 Forecast (£m)	31/03/28 Forecast (£m)
1	Capital Financing Requirement (CFR) (total of internal and external borrowing)	38	46	62	69	73
2	Less: Balance sheet resources	59	19	11	9	14
3	Net loans requirement: Line 1 above less Line 2 above (Negative shows surplus cash/ Positive are external borrowing requirement)	-21	27	51	60	59
4	Plus: Liquidity allowance.		5	5	5	5

5	Liability benchmark (Total forecast external borrowing) (Negative shows net surplus cash/ Positive is external borrowing requirement)	-21	32	56	65	64
		<----- Forecast - Externally borrowed ----->				

The liability benchmark is shown graphically on the next page.



6 Conclusion

- No breaches of the Treasury Management Strategy have occurred.
- Higher than budgeted cash balances during the financial year have led to above-budget returns.
- The Council remains internally borrowed to fund its capital investment. However, external borrowing is expected to become a permanent feature from the New Calendar year.
- Total return from the three fund managers as a portfolio of investments has been better than cash. The three diversified income funds are seen as a medium-term investment to enhance the returns for the Council over the longer period.
- No change to Strategy is recommended for the rest of 2024/25.



Chelmsford City Council Cabinet

12 November 2024

Gambling Act 2005 – Statement of Licensing Principles

Report by:
Licensing Committee

Officer Contact:
Dan Sharma-Bird, Democracy Team Manager, dan.sharma-bird@chelmsford.gov.uk, 01245 606523

Purpose

To seek Cabinet's approval of the latest Statement of Licensing Principles under the Gambling Act 2005 before its consideration by Council.

Options

Recommend that the Council adopt the Statement with or without amendments.

Preferred option and reasons

Recommend adoption of the Statement as submitted, as it has been the subject of consultation and remains fit for purpose.

Recommendation

That the Council be recommended to adopt the attached latest version of the Statement of Licensing Principles under the Gambling Act 2005.

Background

1. At its meeting on 3 October 2024, the Licensing Committee considered the revised statement of principles to the Statement of Gambling Policy under the Gambling Act 2005. The Statement needs to be reviewed every three years.
2. The latest review had concluded that a few changes to the Statement of Principles were required due to proposed and implemented changes to Gambling Policies and Legislation, but that it otherwise remained fit for purpose. The changes to the policy are as follows;

14.22 All gambling operators must apply strict age verification checks to any customer who appears to be under the age of 25, in both physical and online environments. This is to ensure compliance with the age restrictions established under the Gambling Act.”

14.23 The Licensing Authority will expect applicants to demonstrate comprehensive measures to protect vulnerable individuals. This now includes enhanced affordability checks for players with significant spending patterns and mandatory cooling-off periods to prevent continuous gambling. Furthermore, all operators must ensure that safer gambling messages are prominently displayed on all gaming platforms:

~~14.24 Licensees must perform light touch financial vulnerability checks on customers depositing over £500 per month from August 2024, reducing to £150 per month from February 2025.” [A consultation response from the Gambling Commission has identified that this clause only applies to online gambling which this Authority does not licence and should therefore not be part of our Statement of Principles. This will be removed from the Statement and inconsequential changes made to reflect this]~~

17.1 Land-based gambling venues, including casinos, are permitted to expand their range of gambling activities to include sports betting and other forms of wagering previously restricted to online platforms. This expansion includes, but is not limited to, fixed-odds sports betting, in-play betting, and betting exchanges.

3. The Committee agreed to put the revised Statement out to consultation and it was advertised on the Council’s website, in a local newspaper and brought to the attention of relevant stakeholders. The consultation took place from 10th October to 7th November 2024.
4. No comments on the Statement were received during the consultation period and only a few typographical corrections have been made to it since the meeting of the Committee. [If consultation responses are received that require

the Statement to be amended the report/Statement will be amended to reflect this – subject to the agreed procedure by Licensing Committee].

5. The Cabinet is requested to recommend that the Council formally adopt the Statement of Licensing Principles.

List of appendices:

Revised Statement of Licensing Principles

Background papers:

Nil

Corporate Implications:

Legal/Constitutional: The Terms of Reference for Full Council provide that this decision is made by Full Council. Legal implications are set out in the report.

Financial: None

Potential impact on climate change and the environment: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees:

Relevant Policies and Strategies:

STATEMENT OF LICENSING PRINCIPLES FOR GAMBLING

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PART A

1 INTRODUCTION

- 1.1 This Statement of Principles sets out the policy that Chelmsford City Council, as the Licensing Authority under s.349 (1)(b) of the Gambling Act 2005 (referred to in this document as 'the Act'), proposes to apply in discharging its functions to license premises for gambling under the Act in addition to: -
- Designating the body responsible for advising the Authority on the protection of children from harm;
 - Determining whether or not a person is an "Interested Party";
 - Exchanging information with the Gambling Commission and others; and
 - Inspecting premises and instituting proceedings for offences under the Act.
- 1.2 It should be noted that this policy may be affected by any revised guidance issued by the Gambling Commission or as a result of any stated court appeal cases.

2. THE LICENSING OBJECTIVES

- 2.1 In exercising its functions under the Act, 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; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.2

3. RESPONSIBILITIES UNDER THE ACT

- 3.1 The Act introduced a licensing regime for commercial gambling, to be conducted by the Gambling Commission and by Licensing Authorities, depending on the matter to be licensed.
- 3.2 The Act establishes Chelmsford City Council as the Licensing Authority whose responsibilities must be discharged by the Licensing Committee (created under Section 6 of the Licensing Act 2003) across the whole Council area.
- 3.3 The Gambling Commission is responsible for issuing Operating and Personal

licences to persons and organisations who: -

- Operate a casino;
- Provide facilities for playing bingo or for pool betting;
- Act as intermediaries for betting;
- Make gaming machines available for use in Adult Gaming Centres and Family Entertainment Centres;
- Manufacture, supply, install, adapt, maintain or repair gaming machines;
- Manufacture, supply, install or adapt gambling machine software; or
- Promote a lottery.

3.4 The Licensing Authority is responsible for licensing premises in which gambling takes place. This includes all types of gambling, other than spread betting and the National Lottery. The Licensing Authority is also responsible for issuing permits for premises with gaming machines and for receiving notices from operators wishing to use unlicensed premises for gambling on a temporary basis. The Licensing Authority is also responsible for the registration of certain types of Small Society Lotteries.

3.5 The Licensing Authority cannot become involved in the moral issues of gambling and must aim to permit the use of premises for gambling where they are used:

- in accordance with any relevant codes of practice;
- in accordance with any relevant Guidance issued by the Gambling Commission;
- reasonably consistent with the Licensing Objectives, and
- in accordance with the Licensing Authority's Statement of Licensing Policy.

3.6 Before the Licensing Authority can consider an application for a Premises Licence, an Operating and Personal Licence must have been obtained from the Gambling Commission (With the exception of Tracks).

3.7 Please note that the Licensing Authority does not oversee the licensing of remote gambling, as this responsibility falls under the Gambling Commission.

4. STATEMENT OF LICENSING POLICY

- 4.1 The Licensing Authority is required by the Act to publish a Statement of Licensing Policy (The Policy), which contains the principles it proposes to apply when exercising its functions under the Act.
- 4.2 The Policy must be reviewed and published every three years. The Policy must also be reviewed from 'time to time' and any proposed amendments and/or additions must be subject to fresh consultation. The 'new' Policy must then be published.
- 4.3 This revised policy will have effect from 1st February 2025 until 31 January 2028

5. CONSULTATION

- 5.1 In producing this Policy, the Licensing Authority consulted widely before finalising and publishing it. In addition to the statutory consultees (listed below), the Council chose to consult with additional local groups and individuals. A list of these other groups and persons consulted is also provided below.
- 5.2 The Act requires that the following parties are consulted by the Licensing Authority:-
- The Chief Officer of Police for the Authority's area;
 - One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and
 - One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.
- 5.3 The other groups and people consulted were: -
- Organisations, including faith groups, voluntary and community organisations working with children and young people and organisations working with people who are problem gamblers, medical practices or primary care trusts and the Citizen's Advice Bureau;
 - Businesses who are, or will be, holders of Premises Licences;
 - Responsible Authorities under the Act.
- 5.4 The Licensing Authority's consultation took place between [to be confirmed]
- 5.5 A full list of comments made and details of the Council's consideration of those comments will be available by request to The Licensing Section, Public Places, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex CM1 1JE. (licensing@chelmsford.gov.uk)

6. APPROVAL OF POLICY

- 6.1 This Policy was approved at a meeting of the Council on XX November December 2024 published via its website. Copies are available on request or on the Council's WebSite (www.chelmsford.gov.uk)
- 6.2 It should be noted that this Policy does not override the right of any person to make

an application, to make representations about an application, or to apply for a review of a licence, as each case will be considered on its own merit in accordance with the requirements of the Act.

7. DECLARATION

- 7.1 In this Policy the Licensing Authority declares that it has had regard to the Licensing Objectives, formal Guidance issued to Licensing Authorities and any responses from those consulted during the consultation process.
- 7.2 Appendices have been attached to this statement providing further information and guidance that is intended only to assist readers of this document and should not be interpreted as legal advice or as constituent of the Council's policy. Readers are strongly advised to seek their own legal advice if they are unsure of the requirements of the Gambling Act 2005, or they should consult the Guidance or Regulations made under the Act.

8. RESPONSIBLE AUTHORITIES

- 8.1 A full list of the Responsible Authorities designated under the Act and their contact details are given in the Definition/Glossary. It should be noted that under the Act, the Licensing Authority itself is designated as a Responsible Authority.
- 8.2 The Licensing Authority is required to designate, in writing, a body that is competent to advise it about the protection of children from harm. In making this designation the following principles have been applied: -
- The competency of the body to advise the Licensing Authority;
 - The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
 - The need for the body to be answerable to democratically elected persons rather than any particular invested interest group etc.
- 8.3 In accordance with the Gambling Commission's Guidance to Local Authorities, the Licensing Authority designates the Essex Safeguarding Children Board for this purpose.

9. INTERESTED PARTIES

9.1 Interested Parties can make representations about licensing applications or apply for a review of an existing licence. An Interested Party is defined in the Act as follows: -

' A person is an interested party' in relation to a premises licence or in relation to an application for or in respect of a premise if, in the opinion of the Licensing Authority which issues the licence or to which the application 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 paragraphs (a) or (b).

9.2 Interested parties can be persons who are democratically elected, such as District and Parish Councillors and MPs. 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, Parish Councils likely to be affected will be considered to be interested parties.

9.3 District Councillors who are members of the Licensing Committee will not qualify to act in this way.

9.4 Other than persons mentioned in **10.2** and **10.3**, the Licensing Authority will generally require some form of confirmation that a person is authorised to represent an interested party.

9.5 The Licensing Authority considers that the Trade Associations, Trade Unions and Residents' and Tenants' Associations qualify as "Interested Parties" where they can demonstrate that they represent persons in (a) or (b) above.

9.6 In determining if a person lives or has business interests sufficiently close to the premises that they are likely to be affected by the authorised activities, the Licensing Authority will consider the following factors: -

- The size of the premises;
- The nature of the premises;
- The distance of the premises from the location of the person making the representation;
- The potential impact of the premises (e.g. number of customers, routes likely to be taken by those visiting the establishment);
- The circumstances of the complaint. This does not mean the personal characteristics of the complainant but the interest of the complainant, which may be relevant to the distance from the premises;
- The catchment area of the premises (i.e. how far people travel to visit); and
- Whether the person making the representation has business interests in that catchment area that might be affected.

10. EXCHANGE OF INFORMATION

10.1 In its exchange of information with parties listed in Schedule 6 of the Act, the Licensing Authority will have regard to: -

- The provisions of the Act, which include the provision that the Data Protection Act 2018 will not be contravened;
- The guidance issued by the Gambling Commission;
- Data Protection Act 2018;
- Human Rights Act 1998;
- Freedom of Information Act 2000;
- Environmental Information Regulations 2004;
- The Common Law Duty of Confidence;
- Electronic Communications Act 2000;
- Computer Misuse Act 1990;
- Criminal Procedure and Investigations Act 1996; and
- Crime and Disorder Act 1998.

10.2 Exchanges of information will be conducted in a timely and accurate fashion and confirmed in writing in all cases to form an audit trail. (Note: Written confirmation may include information in electronic form). An audit trail should include: -

- Record of data disclosed.
- Project chronology; and
- Notes of meetings with other partners and recent correspondence, including phone calls.

10.3 The Licensing Authority may also exchange information provided by applicants with law enforcement agencies for purposes connected with the prevention and detection of crime, but we will only share any personal details for this purpose if required to do so by law.

11 PUBLIC REGISTER

11.1 The Licensing Authority is required to keep a public register and share information in it with the Gambling Commission and others (e.g. H.M. Revenue and Customs). Regulations will prescribe what information should be kept in the register.

12 COMPLIANCE AND ENFORCEMENT

- 12.1 In exercising its functions with regard to the inspection of premises and to instituting criminal proceedings in respect of offences specified, the Licensing Authority will follow best practice requiring actions to be: -
- Proportionate – Intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
 - Accountable – Authorities must be able to justify decisions and be subject to public scrutiny.
 - Consistent – Rules and standards must be joined up and implemented fairly.
 - Transparent – Enforcement should be open and regulations kept simple and user friendly.
 - Targeted – Enforcement should be focused on the problems and minimise side effects.
- 12.2 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible, and adopt a risk based inspection programme.
- 12.3 The main enforcement and compliance role of the Licensing Authority in terms of the Act will be to ensure compliance with the Premises Licence and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operating and Personal Licences. It is also worth noting that concerns about the manufacturer, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.
- 12.4 The Licensing Authority will keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of Local Authorities.
- 12.5 Where an operator carries out test purchasing in their premises, Chelmsford City Council expects to be advised of the results. Should the results show a failure, then the Licensing Authority will, in the first instance, work with the operator to review and improve their policies and procedures.
- 12.6 Where there is a Primary Authority Scheme in place, the Licensing Authority will seek guidance from the Primary Authority before taking any enforcement action on matters covered by that scheme. At the time of the publication of this policy there were four Primary Authority arrangements with host local authorities:
- Coral – London Borough of Newham
 - Ladbrokes – Milton Keynes
 - Paddy Power – Reading
 - William Hill – City of Westminster

13 DELEGATION OF POWERS

13.1 The Council has agreed a scheme of delegation for discharging its functions under the Act.

PART B PREMISES LICENCES

14. GENERAL PRINCIPLES

14.1 Premises Licences will be subject to the permissions/restrictions set out in the Act as well as the 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 thought appropriate.

14.2 Each case will be decided on its merits and will depend upon the type of gambling that is proposed, as well as taking into account how the applicant proposes that the Licensing objective concerns can be overcome.

14.3 Licensing Authorities are required by the Act, in making decisions about Premises Licences, to permit the use of premises for gambling so far as it thinks fit: -

- In accordance with any relevant codes of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- To be reasonably consistent with the Licensing Objectives; and
- In accordance with the Authority's Policy.

14.4 Definition of Premises:

A premise is defined in the Act as "any place". It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises, although this will always be considered in the light of the guidance issued by the Gambling Commission. It will always be a question of fact in each circumstance. The Gambling Commission does not, however, consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

14.5 Demand:

Demand is a commercial consideration and is not an issue for the Licensing Authority.

14.6 Location:

Location will only be of material consideration in the context of the Licensing Objectives.

14.7 The Act is clear that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Licensing

Authority will pay particular attention to the objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

- 14.8 In order for location to be considered, the Licensing Authority will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives. From 6th April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, that licensees assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.
- 14.9 The LCCP also states that licensees must review (and update as necessary) their local risk assessments:
- a) to take account of significant changes in local circumstance, including those identified in this policy;
 - b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c) when applying for a variation of a premises licence; and
 - d) in any case, undertake a local risk assessment when applying for a new premises licence.
- 14.10 The Licensing Authority expects the local risk assessment to consider as a minimum:
- whether the premises is in an area of deprivation
 - whether the premises is in an area subject to high levels of crime and/or disorder
 - the ethnic profile of residents in the area, and how game rules, self-exclusion leaflets etc. are communicated to those groups
 - the demographics of the area in relation to vulnerable groups
 - the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather
- 14.11 In every case, the risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.
- 14.12 The Licensing Authority expects all licensed premises to have their local area risk assessment available on site for inspection by an authorised officer at all times when they are trading.
- 14.13 Information contained within the local area risk assessment may be used to inform the decision the Licensing Authority makes about whether to grant a licence, to grant a licence with special conditions or to refuse an application.
- 14.14 This policy does not preclude an application being made, and each application will be decided on its merits, with the onus being upon the applicant to show how any concerns can be overcome.
- 14.15 Chelmsford City Council has not published a local area profile, however, the Licensing Authority commits to assisting applicants by providing them such

information that they may require when considering their local area risk assessments.

14.16 **Duplication with other Regulatory Regimes:**

Duplication with other statutory/regulatory regimes will be avoided where possible. This Authority will not consider whether a licence application is likely to be awarded Planning Permission or Building Control consent.

14.17 **Licensing Objectives:**

Premises Licences granted must be reasonably consistent with the Licensing Objectives. With regard to these Objectives, the following will be considered: -

- **Preventing gambling from a source of crime or disorder, being associated with crime or disorder, or being used to support crime –**
Whilst the Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime, it will pay attention to the proposed location of gambling premises in terms of this licensing objective.

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 the need for conditions, such as the provision of door supervisors.

The Licensing Authority is aware that there is a distinction between disorder and nuisance and that the prevention of nuisance is not a licensing objective under the Act.

- **Ensuring that gambling is conducted in a fair and open way –**
The Gambling Commission does not generally expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way. The Licensing Authority notes that in relation to the licensing of tracks, its role will be different from other premises in that track operators will not necessarily have an Operating Licence. In those circumstances, the Premises Licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling –**
In practice, the Objective of protecting children from being harmed or exploited by gambling often means preventing them from taking part in, or being in close proximity to, gambling.

There is no definition of the term 'vulnerable person' in the Act, but this could include people who are gambling beyond their means and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, alcohol or drugs.

14.18 **Conditions:**

Any conditions attached to Licences will be proportionate and will be: -

- Relevant to the need to make the proposed premises 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.

14.19 In addition, the Licensing Authority will examine how applicants propose to address the licensing objectives. In considering applications the Licensing Authority will particularly take into account the following:

- Proof of age schemes (*where applicable*)
- CCTV
- Door Supervisors
- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entry;
- Notices and signage.
- Specific opening hours; and
- With particular regard to vulnerable persons, measures such as the use of self-barring schemes, provision of information, leaflets, helpline numbers for organisations such as GamCare, Gamblers Anonymous, Gordon House Association, National Debtline and local Citizens Advice Bureaux and independent advice agencies

14.20 Decisions upon individual conditions will be made on a case-by-case basis.

Consideration will be given to using control measures, should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas, etc. Applicants will also be expected to offer their own suggestions as to the way in which the Licensing Objectives can be effectively met.

14.21 It is noted that there are conditions, which the Licensing Authority cannot attach to Premises Licences. These are: -

- Any conditions on the Premises Licence which make 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 Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated);

- Conditions in relation to stakes, fees, and the winning of prizes.

14.22 All gambling operators must apply strict age verification checks to any customer who appears to be under the age of 25, in both physical and online environments. This is to ensure compliance with the age restrictions established under the Gambling Act.”

14.23 The Licensing Authority will expect applicants to demonstrate comprehensive measures to protect vulnerable individuals. This now includes enhanced affordability checks for players with significant spending patterns and mandatory cooling-off periods to prevent continuous gambling. Furthermore, all operators must ensure that safer gambling messages are prominently displayed on all gaming platforms:

14.24 Door Supervisors:

The Licensing Authority may consider whether there is a need for door supervisors in terms of the Licensing Objective of protecting children and vulnerable persons from being harmed or exploited by gambling and also in terms of preventing premises becoming a source of crime.

The Authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises or evidence of a likelihood that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and required

As the Act has amended the Security Industry Act 2001, door supervisors at casinos or bingo premises need not be licensed by the Security Industry Authority.

14.25 Credit

Credit facilities are prohibited from being provided in casinos and bingo licensed premises. Cash machines (ATM's) may be installed in such premises but the licensing authority may apply conditions as to where they are sited.

14.26 Betting Machines: (see appendix for definition)

In relation to Casinos, Betting Premises and Tracks, the Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or to a Casino Premises Licence (*where betting is permitted in the Casino*).

14.27 When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, among other things, shall 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 or by vulnerable persons.

14.28 In deciding whether to impose conditions to limit the number of betting machines, each application will be considered on its own merit and account will be taken of

the codes of practice or guidance issued under the Act.

15 PROVISIONAL STATEMENTS

- 15.1 A Premises Licence under the Gambling Act 2005 may lawfully be granted in respect of premises that are not ready to be used for gambling, the premises being about to be or in the course of construction or alteration, and they being premises which the applicant has a right to occupy and in respect of which they hold an operating licence which authorises him/her to carry on the activity in respect of which the Premises Licence is sought.

16. REPRESENTATIONS AND REVIEWS

- 16.1 Representations and Applications for Review of Premises Licence may be made by responsible authorities and interested parties.
- 16.2 The Licensing Authority can make a representation or apply for a review of the Premises Licence on the basis of any reason that it thinks is appropriate. For the purpose of exercising its discretion in these matters, the Authority has designated the Environmental Services Manger, Safer Communities as being the proper person to act on its behalf.
- 16.3 The Licensing Authority will decide if a representation or application for a review is to be carried out on the basis of whether or not the request is:
- Frivolous or vexatious.
 - Based on grounds that will certainly not cause the Authority to wish to revoke/suspend a licence or remove, amend or attach conditions on the Licence.
 - Substantially the same as previous representations or requests for a review.
 - In accordance with any relevant codes of practice issued by the Gambling Commission.
 - In accordance with any relevant guidance issued by the Gambling Commission.
 - Reasonably consistent with the licensing objectives.
- 16.4 There is no appeal against the Authority's determination of the relevance of an application for review.

17. LAND-BASED GAMBLING PREMISES

- 17.1 Land-based gambling venues, including casinos, are permitted to expand their range of gambling activities to include sports betting and other forms of wagering previously restricted to online platforms. This expansion includes, but is not limited to, fixed-odds sports betting, in-play betting, and betting exchanges with the following conditions:

18. ADULT GAMING CENTRES

- 18.1 An Adult Gaming Centre is defined in **Appendix C**. Entry to these premises is age restricted.
- 18.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

19. LICENSED FAMILY ENTERTAINMENT CENTRES

- 19.1 A Licensed Family Entertainment Centre is defined in **Appendix C**. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use.
- 19.2 The Licensing Authority will take account of any conditions applied to an Operating

Licence in respect of such premises.

20 CASINOS

20.1 Casinos are defined in Appendix B. Chelmsford was not selected as one of the sites for one of the new casinos.

20.2 In the event that the Government decide to grant any further casino licences the Licensing Authority will consult widely on this issue.

20.3 The Licensing Authority can restrict the number of **betting machines**, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or to a Casino Premises Licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, amongst other things should take into account: -

- The size of the premises;
- The number of counter positions available for person to person transactions;
- The ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

20.4 In deciding whether to impose conditions to limit the number of betting machines, each application will be on its own merits and account will be taken of Codes of Practice and Guidance issued under the Act.

20.5 **Credit** facilities are prohibited in casinos; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

21 BINGO PREMISES

21.1 A Bingo premises is defined in **Appendix C**. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use.

21.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

21.3 **Credit** facilities are prohibited in premises licensed for Bingo; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

22 BETTING PREMISES

22.1 Betting Premises are defined in. **Appendix C**

22.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

22.3 Fixed Odds Betting Terminals (FOBT's)

In respect to nationally expressed concerns that exist in relation to the potentially adverse impact FOBT's may have on vulnerable groups of adults, The Licensing Authority will give due consideration to the need to apply conditions to betting shop premises licences including, but not limited to, setting out minimum staffing levels to ensure sufficient staff are on the premises to enable staff to comprehensively promote responsible gambling, adequately protect players, particularly in relation to players who are deemed to be vulnerable and to prevent under 18 year olds accessing gambling facilities.

23 TRACKS

- 23.1 A Track is defined in **Appendix C**. Entry to these premises is generally age restricted except on days when racing takes place or is scheduled to take place.

On race days, specific areas within the Track may be age restricted dependent on the licensable activities taking place.

24 TRAVELLING FAIRS

- 24.1 The Licensing Authority will determine whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at a travelling fair is met, where Category D machines and/or equal chance prize gaming without a permit are to be made available for use.

PART C PERMITS/TEMPORARY OR OCCASIONAL USE NOTICES & REGISTRATIONS

25 GENERAL

25.1 Forms and Method of Application and any additional information or documents required for permits covered by this section will be available when the Regulations under the Act are made by the Secretary of State.

26 UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS

26.1 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a 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.

26.2 Statement of Licensing Principles

The Licensing Authority will expect the applicant to show that there are written 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. The suitability of such policies and procedures will be considered on their merits, however, they may include: -

- Criminal Record Bureau checks for staff;
- How the applicant proposes to ensure that children will be protected from harm whilst on the premises,
- Training covering how staff would deal with:-
 - Unsupervised, very young children being on the premises;
 - Children causing perceived problems on/around the premises; and
 - Suspected truant children.

27 (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

27.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines, of Categories C and/or D. The Premises Licence holder needs to notify the Licensing Authority at least two months prior to the date of expiry of the current permit.

27.2 Gaming machines can only be located on licensed premises that have a bar for serving customers.

27.3 Premises restricted to selling alcohol only with food, will not be able to apply for a Permit.

27.4 Where an application for more than two gaming machines is received, the 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 ensure that under 18 year olds do not have access to the adult only machines. Measures will cover such issues as: -

- Adult machines being in sight of the bar;
- Adult machines being in sight of staff who will monitor that the machines are not being used by those under 18;
- Appropriate notices and signage; and
- As regards the protection of vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information in the form of leaflets or help line numbers for organisations such as GamCare, Gamblers Anonymous, Gordon House Association, National Debtline and local Citizens Advice Bureaux and independent advice agencies

The Licensing Authority can decide to grant an application with a smaller number of machines and/or a different category of machines than that applied for but conditions other than these cannot be attached.

28 PRIZE GAMING PERMITS

28.1 Statement of Licensing Principles

The Licensing Authority will expect the applicant to show that there are written 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. The suitability of such policies and procedures will be considered on their merits, however, they may include: -

- Criminal Record Bureau checks for staff;
- How the applicant proposes to ensure that children will be protected from harm whilst on the premises,
- Training covering how staff would deal with:-
 - Unsupervised, very young children being on the premises;
 - Children causing perceived problems on/around the premises; and
 - Suspected truant children.

In making its decision on an application for a Permit, the Licensing Authority does not need to have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.

29 CLUB GAMING AND CLUB MACHINE PERMITS

29.1 Members' clubs and miners' welfare institutes may apply for a Club Gaming Permit and/or a Club Gaming Machine Permit, but are restricted by category and number of machines and to equal chance gaming and games of chance.

- 29.2 A fast-track procedure is available for premises that hold a Club Premises Certificate under the Licensing Act 2003.
- 29.3 Commercial Clubs may apply for a Club Gaming Machine Permit only but are restricted by category and number of machines.

30 TEMPORARY USE NOTICES (TUN)

- 30.1 The persons designated to receive TUNs and to issue objections are specified in **Appendix C**.
- 30.2 A TUN may only be granted to a person or company holding an operating licence relevant to the temporary use of the premises. Regulations will be issued by the Secretary of State prescribing the activities to be covered. (At present this applies to equal chance gaming only)
- 30.3 For the purpose of a TUN, a set of premises is the subject of a TUN if any part of the premises is the subject of the Notice. This prevents one large premise from having a TUN in effect for more than 21 days per year by giving a Notice in respect of different parts.
- 30.4 The definition of “a set of premises” will be a question of fact in the particular circumstances of each Notice that is given. In considering whether a place falls within the definition of “a set of premises” the Licensing Authority will consider, amongst other things, the ownership/occupation and control of the premises.
- 30.5 The Licensing Authority will 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.

31 OCCASIONAL USE NOTICES (OUN)

- 31.1 Occasional Use Notices, apply only to tracks, which are described as being premises on any part of which a race or other sporting events take place, or is intended to take place. Tracks need not be a permanent fixture.
- 31.2 OUNs are intended to permit licensed betting operators who have the appropriate permission of the Gambling Commission to use tracks for short periods for conducting betting. The OUN dispenses with the need for a Betting Premises Licence for the track.
- 31.3 The Licensing Authority has very little discretion as regards these Notices, aside from ensuring that a statutory limit of 8 days in a calendar year is not exceeded.
- 31.4 The Licensing Authority will, however, consider the definition of a track and whether the applicant is permitted to benefit from the use of such a Notice.
- 31.5 The person designated to receive the OUNs (tracks only) and assess its validity is specified in the scheme of delegation as the Director of Safer Communities. A copy of the notice must also be served on the local Chief of Police.

32 SMALL SOCIETY LOTTERIES

32.1 The definition of a Small Society Lottery is contained in **Appendix C** and these require registration with the Licensing Authority.

Note - Further information on small society lotteries may need to be included once the consultation document on the lotteries has been concluded.

APPENDIX A

List of Consultees

The Gambling Commission maintains a list of useful contacts on organisations involved in gambling and their contact details can be found on the Commission's website www.gamblingcommission.gov.uk Some of these organisations provide codes of practice on their particular interest area.

The draft policy was placed on the Council Website and in accordance with the Act the following organisations and individuals were consulted as part of the formal consultation exercise on the Statement of Gambling Licensing Policy.

- All responsible Authorities for the Gambling Act (as specified in Appendix B).
- Holders of Premises Licences and Permits under the Gambling Act 2005
- Gamblers Anonymous,
- The Licensing Committee
- Public Health

APPENDIX B**RESPONSIBLE AUTHORITIES**

ORGANISATION	CONTACT AND ADDRESS	TELEPHONE
Chelmsford City Council (Licensing Authority)	Public Health and Protection Services Manager Chelmsford City Council The Civic Centre Duke Street Chelmsford CM1 1JE	01245 600606 or 01245 606800
Essex Police	The Licensing Manager The Licensing Department Essex Police Braintree Essex CM7 3DJ	01245 212501
Essex County Fire and Rescue Service	Essex County Fire and Rescue Service Headquarters Kelvedon Park Rivenhall Witham Essex CM8 3HB	01245 328388
Essex County Council Children's Safeguarding Service	Head of Children's Safeguarding Service [Licensing Applications] Essex County Council DG06, D Block Schools Children's and Families Service PO Box 11 County Hall Chelmsford CM1 1LX	0845 6037627
Chelmsford City Council [Planning]	Head of Planning Service Chelmsford City Council The Civic Centre Duke Street Chelmsford CM1 1 JE	01245 606606
Chelmsford City Council [Environmental Health - Noise Pollution and Premises Safety]	Principal Environmental Health Officer Public Places Chelmsford City Council The Civic Centre Duke Street Chelmsford CM1 1JE	01245 606606 or 01245 606800

ORGANISATION	CONTACT AND ADDRESS	TELEPHONE
Gambling Commission	Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP	0121 230 6666
HM Revenue & Customs	The Proper Officer HM Revenue & Customs HMRC Banking St Mungos Road Cumbernauld Glasgow G70 5WY	

APPENDIX C

DEFINITIONS

Adult Gaming Centre	Premises in respect of which an Adult Gaming Centre Premises Licence has effect.
Authorised Local Authority Officer	A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that Authority's area.
Betting Machines	A machine designed or adapted for use to bet on future real events [not a gaming machine].
Bingo	A game of equal chance.
Casino	An arrangement whereby people are given an opportunity to participate in one or more casino games.
Casino Resolution	Resolution not to issue Casino Premises Licences.
Child	Individual who is less than 16 years old.
Club Gaming Machine Permit	Permit to enable the premises to provide gaming machines [3 machines of Categories B,C or D.
Conditions	<p>Conditions to be attached to licences by way of:-</p> <ul style="list-style-type: none"> <input type="checkbox"/> Automatic provision <input type="checkbox"/> Regulations provided by Secretary of State <input type="checkbox"/> Conditions provided by Gambling Commission <input type="checkbox"/> Conditions provided by Licensing Authority <p>Conditions may be general in nature [either attached to all licences or all licences of a particular nature] or may be specific to a particular licence.</p>
Default Conditions	Conditions that will apply unless the Licensing Authority decides to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.
Delegated Powers	Decisions delegated either to a Licensing Committee, Sub-Committee or Licensing Officers.
Disorder	No set interpretation. However, likely to be connected to the way gambling is being conducted. In the case of Gambling Premises' Licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.
Equal Chance Gaming	Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.
Exempt Lotteries	<p>Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are four types:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Small Society Lottery [required to register with Licensing Authorities. <input type="checkbox"/> Incidental Non Commercial Lotteries. <input type="checkbox"/> Private Lotteries. <input type="checkbox"/> Customer Lotteries.
External Lottery Manager	An individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.

Gaming	Prize Gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before the play commences.																											
Gaming Machine	Machine covering all types of gambling activity, including betting on virtual events. <u>Categories</u> <table border="1"> <thead> <tr> <th>Category</th> <th>Max. Stake</th> <th>Max. Prize</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Unlimited</td> <td>Unlimited</td> </tr> <tr> <td>B1</td> <td>£5</td> <td>£10,000</td> </tr> <tr> <td>B2</td> <td>£100</td> <td>£500</td> </tr> <tr> <td>B3</td> <td>£2</td> <td>£500</td> </tr> <tr> <td>B3A</td> <td>£2</td> <td>£500</td> </tr> <tr> <td>B4</td> <td>£2</td> <td>£400</td> </tr> <tr> <td>C</td> <td>£1</td> <td>£100</td> </tr> <tr> <td>D</td> <td>10p or 30p*</td> <td>£5 or £8*</td> </tr> </tbody> </table> <p>*when monetary prize only</p>	Category	Max. Stake	Max. Prize	A	Unlimited	Unlimited	B1	£5	£10,000	B2	£100	£500	B3	£2	£500	B3A	£2	£500	B4	£2	£400	C	£1	£100	D	10p or 30p*	£5 or £8*
Category	Max. Stake	Max. Prize																										
A	Unlimited	Unlimited																										
B1	£5	£10,000																										
B2	£100	£500																										
B3	£2	£500																										
B3A	£2	£500																										
B4	£2	£400																										
C	£1	£100																										
D	10p or 30p*	£5 or £8*																										
Human Rights Act 1998 Articles: 1,6,8 and 10	Article 1: Protocol 1 The right to peaceful enjoyment of possessions. Article 6: The right to a fair hearing. Article 8: The right of respect for private and family life. Article 10: The right to freedom of expression.																											
Incidental Non Commercial Lottery	A lottery promoted wholly for purposes other than private game, and which are incidental to non commercial events [commonly charity fundraising events, lottery held at a school fete or at a social event such as a dinner dance]																											
Exchange of Information	Exchanging of information with other regulatory bodies under the Gambling Act.																											
Interested Party	A person who:- <input type="checkbox"/> Lives sufficiently close to the premises to be likely affected by the authorised activities. <input type="checkbox"/> Have business interests that might be affected by the authorised activities. <input type="checkbox"/> Represents persons in either of the above groups.																											
Licensing Objectives	1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. 2. Ensuring that gambling is conducted in a fair and Open way. 3. Protecting children and other vulnerable persons From being harmed or exploited by gambling.																											
Lottery	An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.																											
Lottery Tickets	Tickets that must:- <input type="checkbox"/> Identify the promoting society;																											

	<ul style="list-style-type: none"> ❑ State the price of the ticket, which must be the same for all tickets; ❑ State the name and address of the member of the Society who is designated as having responsibility for the Society for the promotion of the lottery or, if there is one, the External Lottery Manager, and ❑ State the date of the draw, or enable the date of the draw to be determined.
Members' Club	<p>A club that must:-</p> <ul style="list-style-type: none"> ❑ Have at least 25 members; ❑ Be established and conducted 'wholly or mainly' for purposes other than gaming; ❑ Be permanent in nature; ❑ Not be established to make commercial profit; ❑ Be controlled by its members equally.
Occasional Use Notice	Betting may be permitted on a 'track' without the need for a full Premises Licence.
Off Course Betting	Betting that takes place other than at a track, i.e. at a licensed betting shop.
Off Course Betting - Tracks	Betting that takes place in self-contained betting premises with the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operates only on race days.
On Course Betting - Tracks	Betting that takes place on a track while races are taking place.
Operating Licence	Licence to permit individuals and companies to provide facilities for certain types of gambling. It may authorise remote or non remote gambling.
Permits	Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.
Personal Licence	Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. Cannot be held by companies.
Pool Betting - Tracks	Betting offered at a horse racecourse by the Tote and at a dog track by the holder of the Premises Licence for the track.
Premises	Defined as 'any place'. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.
Premises Licence	Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks, Adult Gaming Centres and Family Entertainment Centres.
Private Lotteries	<p>There are three types of Private Lotteries:</p> <ul style="list-style-type: none"> ❑ Private Society Lotteries - tickets may only be sold to members of the Society or persons who are on the premises of the Society; ❑ Work Lotteries - the promoters and purchasers of tickets must all work on a single set of work premises; <p>Residents' Lotteries - promoted by, and tickets may only be sold to, people who live at the same set of premises.</p>
Prize Gaming	Where the nature and size of the price is not determined by the number of people playing or the amount paid for or raised

	by the gaming. The prizes will be determined by the operator before play commences.
Prize Gaming Permit	A permit to authorise the provision of facilities for gaming with prizes on specific premises.
Provisional Statement	Where a applicant can make an application to the Licensing Authority in respect of premises that he:- <input type="checkbox"/> Expects to be constructed. <input type="checkbox"/> Expects to be altered. <input type="checkbox"/> Expects to acquire a right to occupy.
Relevant Representations	Representations that relate to the Gambling Licensing Objectives, or that raise issues under the Licensing Policy or the Gambling Commission's Guidance or Codes of Practice.
Responsible Authorities	Public Bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences, as follows:- <input type="checkbox"/> The Licensing Authority in whose area the premises is partly or wholly situated <input type="checkbox"/> The Gambling Commission <input type="checkbox"/> The Chief Officer of Police <input type="checkbox"/> Fire and Rescue Service <input type="checkbox"/> The Planning Authority for the local authority area <input type="checkbox"/> Environmental Health Service for the local authority area <input type="checkbox"/> The Body competent to advise on the protection of children from harm <input type="checkbox"/> HM Revenue and Customs <input type="checkbox"/> Authority in relation to vulnerable adults <input type="checkbox"/> Vessels only - the Navigation Authority whose statutory functions are in relation to waters where the vessel is usually moored or berthed, i.e. the Environment Agency, British Waterways Board, the Maritime and Coastguard Agency Full details of Responsible Authorities for the Chelmsford District are contained in Appendix 'B' to this Policy.
Small Society Lottery	A lottery promoted on behalf of a non commercial society, i.e. lotteries intended to raise funds for good causes.
Society	The society or any separate branch of such a society, on whose behalf a lottery is to be promoted.
Temporary Use Notice	To 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.
Tote [or Totalisator]	Pool betting on tracks.
Track	Sites where races or other sporting events take place, e.g. horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place.
Travelling Fair	A fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.
Vehicles	Defined trains, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and

	gaming is permitted.
Vulnerable Persons	No set definition, but likely to mean group to include people who:- <ul style="list-style-type: none"> <input type="checkbox"/> gamble more than they want to <input type="checkbox"/> gamble beyond their means <input type="checkbox"/> who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs
Young Person	An individual who is not a child but who is less than 18 years old.

APPENDIX D

TEMPORARY USE NOTICES

The organisations designated to receive TUNs and to issue objections are:-

- The Licensing Authority
- The Gambling Commission
- Essex Police
- HM Commission for Revenues and Customs
- If applicable, any other Licensing Authority in whose area the premises are situated (if the premises crosses the border between two Licensing Authority's areas).

APPENDIX E
DELEGATION OF FUNCTIONS

Matters to be dealt with	Licensing Committee	Director of Public Places	Public Health & Protection Services Manager
Application for a premises licence	Where representations have been received and not withdrawn. Where the Licensing Authority considers that a condition should be added to the licence under S169(1)(a) or a default condition should be excluded under section 169(1)(b) unless the applicant and any persons making representations agree to this course of action and that a hearing is unnecessary	Where no representations are received/representations have been withdrawn.	
Application for a variation to a licence	Where representations have been received and not withdrawn. Where the Licensing Authority considers that a condition should be added to the licence under S169(1)(a) or a default condition should be excluded under section 169(1)(b) unless the applicant and any persons making representations agree to this course of action and that a hearing is unnecessary	Where no representations are received/representations have been withdrawn.	
Application to transfer a licence	Where representations have been received from the Gambling Commission	Where no representations received from the Gambling Commission	
Application for a provisional statement	Where representations have been received and not withdrawn. Where the Licensing Authority considers that a condition should be added to the licence under S169(1)(a) or a default condition should be excluded under section 169(1)(b)	Where no representations are received/representations have been withdrawn.	

Matters to be dealt with	Licensing Committee	Director of Public Places	Public Health & Protection Services Manager
Review of a premises licence	X		
Decision as to whether a representation is relevant		X	
Licensing Authority to make representations as a responsible authority			X
Proposal to attach a condition to a premises licence in accordance with section 169(1)(a) of the Act in addition to the mandatory or default conditions			X
Proposal to exclude a default condition from a premises licence under S169(1)(b) of the Act			X
Request a review of a premises licence under sections 197 or 200 of the Act as a responsible authority			X
Give a notice of objection to a temporary use notice under S221 of the Act			X
Determine that any representations received under part 8 of the Act are vexatious, frivolous or certainly will not influence the Authority's determination of an application	X		
Reject all or part of any application for a review of a premises licence in accordance with Section 198 of the Act		X	
Revoke a premises licence for non-payment of the annual fee (s193)		X	

Matters to be dealt with	Licensing Committee	Director of Public Places	Public Health & Protection Services Manager
Application for a club gaming/club machine permit	Where objections have been received and not withdrawn. Refusal of permit proposed on the grounds listed in Sch 12 paragraph 6(1)(a)-(d), or paragraph 10(3) as applicable unless Authority and all relevant parties agree that a hearing is unnecessary.	Where no objections/objections have been withdrawn.	
Cancellation of a club gaming/club machine permit	X		
Application for other permits/registrations		X	
Cancellation of licensed premises gaming machine permits	All cases where permit holder requests a hearing under paragraph 16(2) or makes representations.	All other cases	
Consideration of temporary use notice	All cases where an objection notice has been received unless each person who would be entitled to make representations agrees that a hearing is unnecessary and the Environmental Services Manager is satisfied that a counter notice is not required.	All other cases	
Serve notification of intended refusal of any of the following:- Family Entertainment Centre Gaming Machine Permit (Sch 10 para 10) Prize Gaming Permits (Sch 14 para 11) Licensed Premises Gaming Machine Permits (Sch 13 para 6) And also in the latter case notice of intention to grant the application but for a smaller number of machines than specified and/or a different category of machines from that specified in the		X	

Matters to be dealt with	Licensing Committee	Director of Public Places	Public Health & Protection Services Manager
application			
Serve notification of lapse of any of the following:- Family Entertainment Centre Gaming Machine Permit (Sch 10 para 14 and 15(1)(b))		X	
Serve notice of intention to cancel or vary any of the following:- Club Gaming Permit or Club Gaming Machine Permit (Sch 12 para 21) Licensed Premises Gaming Machine Permits (Sch 13 para 16)		X	
Create and amend the Authority's application procedures in relation to applications for the following in accordance with any relevant legislation:- Family Entertainment Centre Gaming Machine Permits (Sch 10 paras 5 and 7) Licensed Premises Gaming Machine Permits(Sch 13 para 2) Prize Gaming Permits (Sch 14 paras 6 and 8)		X	

The Director of Public Places be given delegated power to administer and carry out all other functions of the Licensing Authority capable of delegation under The Gambling Act 2005 and its subordinate legislation, (and any other legislation which may subsequently amend or replace it) which is not otherwise delegated to the Authority or the Licensing Committee.

APPENDIX F

APPLICATION PROCESS

This guidance covers those aspects that are the responsibility of the Licensing Authority only; guidance on aspects dealt with by the Gambling Commission can be obtained via the following link: - www.gamblingcommission.gov.uk

PREMISES LICENCES

A Premises Licence is required for any premises where gambling activity is carried out of a type requiring Personal and Operators' Licences to have been issued by the Gambling Commission.

An application may only be made by persons having the right to occupy the premises and who have, or have applied for, an Operating Licence allowing the proposed activities to be carried out. The Premises Licence cannot be granted until the necessary Operator's Licence has been issued.

Premises Licences are issued by the Licensing Authority and are required for Casinos, Bingo premises, Betting premises (including tracks and premises used by betting intermediaries) Adult Gaming Centres and Family Entertainment Centres providing category C gaming machines.

A licence is restricted to one premises only. However one set of premises may have separate licences issued in respect of different parts of the building.

Licensing Authorities are obliged to grant an application for a Premises Licence, provided the application is made in accordance with the Act, the Gambling Commission's guidance and the Licensing Authority's Gambling Licensing Policy Statement. Licences will be subject to mandatory and default conditions applied by regulations issued under the Act.

Premises Licences are valid indefinitely from the date of grant unless previously surrendered, lapsed, renewed or cancelled. An annual charge is payable to the Licensing Authority.

BINGO, BETTING, ARCADES (Adult Gaming Centres & Licensed Family Entertainment Centres)

New Licences or Permissions

Applicants wishing to commence operating on or after 1 September 2007 may apply from 1 January 2007 to the Gambling Commission for an Operator's Licence and from 31 January 2007 to the Licensing Authority for a Premises Licence.

TRACKS

An Operator's Licence is not required from the Gambling Commission to operate a track but a Premises Licence from the Licensing Authority is required. A number of Premises Licences may be granted for one track, provided each is for a different part of the track.

Betting is usually divided into on-course, off-course and pool betting, the provision of which requires operators to hold either a general Betting Operator's Licence or a Pool Betting Operating Licence from the Commission.

Pool betting on tracks may only be offered by the Tote (in relation to horse tracks) and by the Premises licence holder (in relation to dog tracks). Pool betting may not be provided elsewhere.

Gaming machines, consisting of a maximum of 4 machines of categories C – D, may be operated at a track by the Premises licence holder provided they hold a Pool Betting Operator's Licence (for siting and other special considerations in respect of gaming machines at tracks, see *'the Gambling Commission's guidance'* at www.gamblingcommission.gov.uk).

Betting machines may also be operated at tracks (see *'Betting machines'*).

The licensing process is the same as for other premises described above.

BETTING MACHINES

Betting machines are used for accepting bets on live events such as racing, in place of making bets at a counter, e.g. in a betting shop or on a track. These machines are not classed as gaming machines. The Licensing Authority may impose a limit on the number of betting machines that may be used in conjunction with a premise's licence.

GAMING MACHINE SUPPLY & REPAIR

These activities require Operators' Licences to be issued by the Gambling Commission. For advice on applying for licences from the Commission, see their website at www.gamblingcommission.gov.uk.

GAMING MACHINES IN LICENSED PREMISES

Premises Licences issued under the Gambling Act 2005 automatically authorise the provision of gaming machines, according to the type of premises and gambling activities permitted (but see also *'Tracks'*).

The Gambling Act 2005 introduces new classes of gaming machines, as shown in figure 1 below. The category and number of machines that may be operated under a Premises Licence are shown in figure 2 below.

Fig. 1

Category of machine	Maximum Stake £	Maximum Prize £
A	Unlimited	Unlimited
B1	£5	£10,000
B2	£100	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize
D Non money prize (other than a crane machine)	30p	£8
D Non money prize (crane grab machine)	£1	£50
D - money prize (other than a coin pusher or penny falls machine)	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)

D - combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)
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Fig. 2

Premises Type	Machine category							
	A	B1	B2	B3	B3A	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)			Maximum of 150 machines. Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio).					
Small casino (machine/table ratio of 2-1 up to maximum)			Maximum of 80 machines. Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio).					
Pre-2005 Act casinos (no machine / table ratio)			Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead.					
Betting premises and tracks occupied by Pool Betting				Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo Premises					Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4 **		No limit on category C or D machines	
Adult gaming centre					Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Family entertainment centre (with premises licence)							No limit on category C or D machines	
Family Entertainment Centre gaming machine permit							No limit on category D machines	
Club Gaming permit					B3A, B4, C and D			3 total Cat B3A machines are lottery only machines which are only permitted in members clubs and miners welfare institutes.
Club machine permit					B3A, B4, C and D			3 total
Licensed premises: automatic entitlement					C and D			2 total

Licensed premises gaming machine permit					C and D		Unlimited
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* It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

** Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only. But not B3A machines.

TEMPORARY USE NOTICES (TUNs)

A TUN may only be issued by a person or company holding an Operating Licence relevant to the proposed temporary use of the premises and may be issued in respect of a 'set of premises' for a maximum of 21 days in any 12 month period. (NB. A TUN may not be issued in respect of a vehicle).

A 'set of premises' is the subject of a TUN if any part of the premises is the subject of the notice. This prevents one large premises from having a TUN in effect for more than 21 days per year by giving a notice in respect to different parts.

In considering whether a place falls within the definition of 'a set of premises', the Licensing Authority will consider, amongst other things, the ownership/ occupation and control of the premises.

The Licensing Authority will generally aim to permit gambling activities under a TUN but will 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

Issue

Not less than 3 months and 1 day prior to the day on the which the gambling event is to take place, a TUN must be given to: -

- the Licensing Authority
 - the Chief Officer of Police
 - HM Commissioners for Revenue and Customs
- and, if applicable,
- any other Licensing Authority in whose area the premises are situated

The notice must include details of: -

- the date the notice is given
- the gambling activity to be carried on
- the premises where it will take place
- the dates and times it will take place
- any periods during the preceding 12 months that a TUN has had effect for the same premises, and
- any other information prescribed by Regulations

If there are no objections, the notice will be endorsed by the Licensing Authority and returned to the issuer for display upon the premises at the time the activity takes place.

Objections

Having regard to the Licensing Objectives, those Authorities upon whom the TUN is served may make objections to the gambling activity taking place within 14 days of the date of the notice. Objections must be made to the Licensing Authority and TUN issuer.

Modifications to the notice may be suggested by those objecting to it. If accepted by the issuer, a new notice must be issued. It should be noted that the 3 month, 1 day time limit and a new fee will not apply to the new notice, nor may the original objector[s] object to the new notice.

A Hearing must be held before the Premises/Personal Licences Sub-Committee to hear representations from all parties, unless agreement is reached that a Hearing is unnecessary [e.g. by modification of the notice] within 6 weeks of the date of the notice.

Following a Hearing the Licensing Authority must issue a counter notice setting out whether or not the TUN will have effect, any limitations to the activities permitted, the time period when activities may take place and any conditions that are imposed.

OCCASIONAL USE NOTICES (OUNs)

Occasional Use Notices may only be issued in relation to tracks that are used on eight days or less in a calendar year.

A track can be any part of a premises on which a race or other sporting event takes place or is intended to take place. Tracks need not be a permanent fixture.

OUN's are intended to permit licensed betting operators who have the appropriate permission of the Gambling Commission to use tracks for short periods for conducting betting. An OUN dispenses with the need for a Betting Premises Licence for the track.

Issue

The notice may be issued by the person responsible for the administration of events on the track or the occupier of the track. **The notice must be served on the Licensing Authority and a copy on the Chief Officer of Police.**

Objections

Generally objections may not be made to the issue of an OUN, except the Licensing Authority must issue a counter notice where the effect of the OUN would result in betting facilities being made available for more than 8 days in a calendar year.

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PREMISES LICENCES

PREMISES WHERE AN OPERATOR'S LICENCE HAS BEEN GRANTED TO OPERATE A CASINO, BINGO PREMISES, BETTING PREMISES, ADULT GAMING CENTRE OR LICENSED FAMILY ENTERTAINMENT CENTRE

1. Attach required documentation
2. Pay prescribed fee

1. Licence lasts indefinitely unless surrendered, lapsed etc.
2. Annual charge payable to licensing authority

GAMING PERMITS

Certain types of gambling are authorised by permits issued by the Licensing Authority. The permits generally authorise low stake gambling for small prizes by: -

- Gaming machines in alcohol-licensed premises, Members' Clubs, unlicensed Family Entertainment Centres (FEC's) and certain other premises, e.g. taxi offices (see '*Other premises*' below)
- Equal chance gaming, games of chance and gaming machines in Members' Clubs, and
- Prize gaming, e.g. at Travelling Fairs.

GAMING MACHINES

The Gambling Act 2005 introduces new classes of gaming machines that may be operated under a permit, as shown in figure 3 below.

Fig. 3

Category of machine	Maximum Stake £	Maximum Prize £
A	Unlimited	Unlimited
B1	£5	£10,000
B2	£100	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D	10p or 30p when non-monetary prize	£5 cash or £8 non-monetary prize
D Non money prize (other than a crane machine)	30p	£8
D Non money prize (crane grab machine)	£1	£50
D - money prize (other than a coin pusher or penny falls machine)	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)
D - combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

The category and number of machines that may be operated under a premise's licence are shown in Figure 2 above.

Fig. 4

Premises Type	Machine category							
	A	B1	B2	B3	B3A	B4	C	D
Clubs or Miners' Welfare Institutes with permits				B3A		Maximum of 3 category B3A or B4 to D machines		
Qualifying alcohol licensed premises upon notification						Automatic entitlement of 1 or 2 category C or D machines		
Qualifying alcohol licensed premises with gaming machine permit						Unlimited category C or D machines - number specified on permit		
Family Entertainment Centre (with permit)								Unlimited category D machines
Travelling Fair								Unlimited category D machines

ALCOHOL-LICENSED PREMISES

Certain types of gambling may take place on alcohol-licensed premises under the Licensing Act 2003 without any authorisation being required. Generally these consist of the playing of cribbage, dominoes and other games for low stakes.

Premises holding a Premises Licence may be authorised to operate machines of Class C or D provided the Premises Licence authorises the sale and supply of alcohol for consumption on the premises without it being a condition that the sale and supply of alcohol has to be accompanied by food.

The following paragraphs apply only to those premises.

Automatic Entitlement

The Gambling Act 2005 gives an automatic entitlement for the holder of a Premises Licence under the 2003 Act to provide up to two gaming machines on their premises.

An application for a permit is not required but Premises Licence holders must notify their Licensing Authority in writing of their intention to provide the machines and pay the prescribed fee.

The entitlement may be withdrawn if:-

- provision of the machines is not reasonably consistent with the pursuit of the Licensing Objectives
- gaming has taken place on the premises that has breached a condition of the Act, e.g. they do not comply with siting and operation requirements
- the premises are mainly used for gaming; or where an offence under the Gambling Act 2005 has been committed on the premises

The Licensing Authority may not exercise their powers to remove the entitlement without first giving the permit-holder the opportunity to make written or oral representations or both. A Hearing will be held before the Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

New permits

Where the holder of a Premises Licence wishes to provide more than two gaming machines, an application for a permit must be made to the Licensing Authority with the prescribed fee. There is no restriction on the number of machines that may be applied for and applications to vary the number of machines may be made at any time.

In determining an application for an increase in the number of machines, the Licensing Authority will consider: -

- the size of the premises
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons
- any documentary evidence [e.g. supporting statistical evidence providing details of usage, etc.]
- each application on its own merits
- the Codes of Practice or Guidance issued under the Gambling Act 2005

Where the Authority grants the application, a permit will be issued for the number of machines authorised, which will include the automatic entitlement of 2 machines.

Where the Authority intends to refuse an application, or grant it for a different number or category of machines to that requested, the applicant will be given the opportunity to make written or oral representations or both. A Hearing will be held before the Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary

Where the Premises Licence is transferred, the gaming machine permit must also be transferred or it will lapse. In all other cases the permit will last indefinitely, unless surrendered or revoked.

Although the permit will not need to be renewed, an annual charge will have to be paid to the Licensing Authority.

MEMBERS' CLUBS

The Gambling Act 2005 permits a Members' Club holding a Club Premises Certificate issued under the Licensing Act 2003, or Miners' Welfare Institute, to hold a **Club Gaming Permit** allowing participation in equal chance gaming or playing games of chance (see Annex C for definitions of 'equal chance gaming' and 'games of chance'). In addition they may operate a maximum of 3 machines of either Class B3A, B4, C or D.

The Act also permits a Members' Club holding a Club Premises Certificate or a Commercial Club holding a Premises Licence under the Licensing Act 2003 to operate a maximum of 3 machines of either Class B3A, B4, C or D under a **Club Machine Permit**.

New Permits

Applications for a permit for premises already holding a Club Premises Certificate are subject to a 'fast track' procedure that prevents the making of objections, and restricts the ability of the Licensing Authority to refuse the application.

An application under this process may be refused if the club is established primarily for gaming (other than that permitted); if, in addition to the permitted gaming, facilities are provided for other gaming; or that a club machine permit issued to the applicant within the preceding 10 years has been cancelled.

An application and payment of the prescribed fee is required. A permit has effect for 10 years unless surrendered or revoked.

Applications for a permit for premises not holding a Club Premises Certificate e.g. a Commercial Members' Club with a Premises Licence, may be refused by the Licensing Authority on the grounds that:-

- the applicant does not fulfil the requirements for a Members' or Commercial Club
- the premises are used wholly or mainly by children and/or young persons; an offence under the Act or breach of a permit has been committed by the applicant while providing gaming facilities
- a permit held by the applicant has been cancelled in the previous 10 years
- an objection has been made by the Police or Gambling Commission

Permits may be varied at any time to meet changing circumstances, other than an increase above 3 to the number of machines. Licensing Authorities may only refuse a variation if, on consideration of the proposed variation as a new application, they would refuse a permit.

A permit will lapse if the holder no longer qualifies as a Members' Club or no longer qualifies under the 'fast track' system, or the permit is surrendered. A permit may be cancelled if the premises are used wholly or mainly by children and/or young persons or where an offence under the Act or breach of a permit condition has been committed by the applicant in the course of gaming activities.

Permits are valid for 10 years from the date of grant unless previously surrendered, lapsed, renewed or cancelled. An annual charge is payable to the Licensing Authority.

OTHER PREMISES

Premises such as taxi offices, take-away restaurants, cafes etc are prohibited from obtaining a gaming machine permit under the Act and will be unable to operate gaming machines of any kind.

UNLICENSED FAMILY ENTERTAINMENT CENTRES

The Licensing Authority may grant an application for a permit for category D gaming machines in an unlicensed Family Entertainment Centre (FEC) provided it is satisfied the premises will be used as an unlicensed FEC and that the Chief Officer of Police has been consulted. There are no limits to the number of machines that may be applied for in an unlicensed FEC.

The Authority will apply its Gambling Policy Licensing Statement in consideration of an application, e.g. requiring an applicant to demonstrate they have no relevant convictions, that they have a full understanding of the maximum stakes and prizes permissible and that staff have a similar understanding.

An application for a permit will have to be accompanied by plans of the premises and a current certificate issued by the Criminal Records Bureau or its equivalent in respect of the applicant, i.e. a certificate issued within the previous 28-day period. The requirement in respect of the CRB certificate will be satisfied, where the applicant is a person who is a sole proprietor of the premises, by submission of a certificate in respect of that person or, where an applicant is a company or partnership, by submission of a certificate in respect of the person normally having day-to-day control of the premises.

The Authority may refuse an application for renewal of a permit only on the grounds that an authorised Local Authority Officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the Licensing Objectives.

Where the Authority intends to refuse an application, the applicant will be given the opportunity to make written or oral representations or both. A Hearing will be held before the Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

In determining an application, the Licensing Authority need not have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.

A permit will last for 10 years unless it ceases to have effect because it is surrendered, it lapses or it is renewed. There is no annual charge payable to the Licensing Authority.

Unlicensed FEC's may also offer equal chance gaming under the authority of their Gaming Machine Permit.

New permits

Applications for new permits may be made to the Licensing Authority.

PRIZE GAMING

Prize gaming may be carried on in premises under a permit issued by the Licensing Authority. A Prize Gaming Permit will **not** authorise the use of gaming machines.

The Authority may apply its Gambling Licensing Policy Statement in consideration of an application, e.g. requiring an applicant to demonstrate they have no relevant convictions, that they have a full understanding of the maximum stakes and prizes permissible and that staff have a similar understanding.

The Authority may refuse an application for renewal of a permit only on the grounds that an authorised Local Authority Officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the licensing objectives.

An application for a permit will have to be accompanied by plans of the premises and a current certificate issued by the Criminal Records Bureau or its equivalent in respect of the applicant, i.e. a certificate issued within the previous 28-day period. The requirement in respect of the CRB certificate will be satisfied, where the applicant is a person who is a sole proprietor of the premises, by submission of a certificate in respect of that person or, where an applicant is a company or partnership, by submission of a certificate in respect of the person normally having day-to-day control of the premises.

Where the Authority intends to refuse an application, the applicant must be given the opportunity to make written or oral representations or both. A Hearing will be held before the Premises/Personal Licences Sub-Committee for this purpose, unless all parties agree that it is unnecessary.

In determining an application, the Licensing Authority need not have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.

A prize gaming permit will last for 10 years unless it ceases to have effect or is renewed. There is no annual charge payable to the Licensing Authority.

New permits

Applications for new permits may be made to the Licensing Authority.

Prize gaming without a permit

Prize gaming without a Prize Gaming Permit may be carried on in any premises with a Premises Licence issued under the Gambling Act 2005, except that casinos may not offer prize bingo.

Unlicensed FEC's may also offer equal chance gaming only, under the authority of their gaming machine permit.

Travelling Fairs may also offer equal chance gaming only without a permit provided the facilities for gaming are ancillary amusements to the fair.

TRAVELLING FAIRS

Travelling Fairs do not require a permit to provide gaming machines but must comply with codes of practice on how they are operated.

Travelling fairs may provide an unlimited number of category D machines and prize gaming in the form of equal chance gaming provided that facilities for gambling amount to no more than ancillary amusement at the fair.

ALCOHOL LICENSED PREMISES

PREMISES WHERE THE LICENCE PERMITS THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES AND THE SALE IS NOT CONDITIONAL UPON FOOD BEING SOLD MAY HAVE GAMING MACHINES OF CLASS C OR D

UP TO 2 MACHINES

1. Automatic entitlement to 2 machines
2. Notify Licensing Authority in writing of proposed intention to operate machines.
3. Pay prescribed fee

MORE THAN 2 MACHINES

1. Apply to Licensing Authority
2. Attach statistical justification showing 'need'
3. Attach plan of premises showing location of machines
4. Pay prescribed fee

1. Permit has effect from date of grant unless surrendered or cancelled
1. Annual charge to be paid to Licensing Authority

1. Licensing Authority can withdraw entitlement for 2 machines where their provision is not consistent with Licensing Objectives; gaming has taken place in breach of a condition; premises are used mainly for gaming; an offence under the Act has been committed.
2. Licensing Authority can cancel a permit where the premises are used wholly or mainly by children or young persons or an offence under the Act has been committed.

BUT

1. Permit holder must be given 21 days notice of the intention to withdraw or cancel
2. Hearing must be held if permit holder requests one
3. Withdrawal or cancellation has no effect until 21 days has elapsed from notice being served where no hearing is requested or 21 days following a hearing or appeal.

MEMBERS' CLUBS

MAXIMUM OF 3 CATEGORY B3A, B4, C OR D MACHINES

Applications for new permits and renewals must be made to Licensing Authority

ATTACH TO APPLICATION

1. Club Premises Certificate (for fast track applications)
2. Rules of club (if not CPC)
3. Plan of premises showing location of machines
4. Prescribed fee

1. Copy of application and accompanying documents to Police and Gambling Commission
2. Objections may be made (except to 'fast track' applications)
3. Permit lasts 10 years

Application for grant may be refused if: -

1. Applicant does not qualify as a Members' or Commercial Club or Miners' Welfare Institute.
2. The premises are used wholly or mainly by children or young persons.
3. An offence under the Act or a breach of a permit has been committed while providing gaming facilities.
4. A permit held by the applicant has been cancelled in previous 10 years.
5. An objection has been made by Police or Commission.

Application for renewal must be sent to Licensing Authority with fee between 3 and 6 weeks before permit expires and may only be refused on the same grounds as for original grant.

Duration of the permit will not be curtailed while a renewal application is pending or where an appeal against a refusal to renew is outstanding.

UNLICENSED FAMILY ENTERTAINMENT CENTRE

PERMIT MAY BE ISSUED FOR PREMISES WHOSE PRIMARY USE IS AS AN UNLICENSED FAMILY ENTERTAINMENT CENTRE TO HAVE AN UNLIMITED NUMBER OF GAMING MACHINES OF CLASS D

1. Attach information required by Gambling Licensing Policy Statement
2. Attach plan of premises showing location of machines
3. Consult Chief of Police
4. Pay prescribed fee
5. Permit lasts for 10 years

Application for grant may be refused if the grant would not be reasonably consistent with the Licensing Objectives, e.g. convictions making the applicant unsuitable, the location and type of premises being unsuitable, issues concerning disorder.

Application for renewal must be sent to Licensing Authority with fee between 2 and 6 months before permit expires and may only be refused if an Authorised Officer has been refused access to the premises without reasonable excuse, or renewal would not be reasonably consistent with the licensing objectives. Duration of the permit will not be curtailed while a renewal application is pending or where an appeal against a refusal to renew is outstanding

Permits will lapse if: -

1. Licensing Authority notifies holder premises are no longer being used as an unlicensed FEC
2. Holder no longer occupies premises
3. Holder dies, becomes mentally incapacitated, bankrupt or, in case of a company, ceases to exist or goes into liquidation
4. Court orders holder to forfeit permit
5. Holder surrenders or fails to renew

PRIZE GAMING PERMIT

PRIZE GAMING PERMITS MAY ONLY BE ISSUED IN RESPECT OF PREMISES FOR WHICH THERE IS NO PREMISES LICENCE OR CLUB GAMING PERMIT ISSUED UNDER THE GAMING ACT 2005

1. Attach information required by Gambling Licensing Policy Statement
2. Attach plans of premises
3. Pay prescribed fee
4. Permit lasts for 10 years

Application for grant may be refused if the grant would not be reasonably consistent with the Licensing Objectives, e.g. convictions making the applicant unsuitable, the location and type of premises being unsuitable, issues concerning disorder.

Application for renewal must be sent to Licensing Authority with fee between 2 and 6 months before permit expires and may only be refused if an Authorised Officer has been refused access to the premises without reasonable excuse, or renewal would not be reasonably consistent with the Licensing Objectives. Duration of the permit will not be curtailed while a renewal application is pending or where an appeal against a refusal to renew is outstanding.

Permits will lapse if: -

1. Holder no longer occupies premises
2. Holder dies, becomes mentally incapacitated, bankrupt or, in case of a company, ceases to exist or goes into liquidation
3. Court orders holder to forfeit permit
4. Holder surrenders or fails to renew

LOTTERIES

A lottery is unlawful unless it is run in accordance with an Operating Licence issued by the Gambling Commission, or it is exempt. This advice covers only those categories of lottery that are exempt. For more information on the licensing requirements for lotteries, see the Gambling Commission's website on www.gamblingcommission.gov.uk

The Gambling Act 2005 defines 4 categories of lottery that are exempt from needing an operating licence: -

- Incidental non-commercial lottery
- Private lottery
- Customer lottery
- Small society lottery

Only a small society lottery is required to be registered with the Licensing Authority.

Applications must be made by the promoting society to the Licensing Authority for the area in which the principal address of the society is located. The Licensing Authority must record details of the society in a register and notify the applicant and the Gambling Commission of the registration.

The Licensing Authority will require applicants to declare: -

- the purposes for which the society is established
- that they represent a bona fide non-commercial society, and
- that they have no relevant convictions

The Licensing Authority may refuse an application if: -

- it considers the applicant is not a non-commercial society
- any person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, or
- information provided in or with an application is false or misleading

An application shall be refused if an Operating Licence held or applied for by the applicant has been revoked or refused in the previous 5 years.

The Licensing Authority may revoke a registration where it believes the grounds exist that would permit or require it to refuse an application for registration.

Where the Licensing Authority intends to refuse or revoke the registration application it will give the society: -

- details of the reasons,
- evidence upon which it reached the decision, and
- the opportunity to make written and/or oral representations.

NEW REGISTRATIONS

An application for registration with the prescribed fee must be made to the Licensing Authority under the Gambling Act 2005. The registration will be valid indefinitely with an annual fee being payable to the Licensing Authority.

Lottery Requirements

To ensure the main purposes of the lottery are met: -

- the society must apply a minimum of 20% of the proceeds of the lottery to the purposes of the society;
- no single prize may exceed £25,000.
- rollovers may be permitted provided every lottery affected is also a small society lottery by the same society and the maximum single prize does not exceed £25,000; and
- every ticket must cost the same and must be paid for before being entered into the draw.

Returns

No later than 3 months after making the draw (or in the case of a rollover, the last draw), a return must be sent to the Licensing Authority that: -

- has been signed by 2 members of the society over 18 years of age who are appointed for the purpose in writing by the society or its governing body, if it has one,
- is accompanied by a copy of each member's letter of appointment, and include the following details: -
 - the dates when tickets were available for sale;
 - the dates of any draw and value of prizes, including any rollover;
 - the proceeds raised;
 - the amounts deducted for prizes and expenses incurred in organising the lottery;
 - the amount applied or to be applied to the purposes of the promoting society; and
 - whether any expenses incurred in connection with the lottery were paid for other than from the proceeds of the lottery and, if so, the amount and the source(s) from which they were paid.

EXTERNAL LOTTERY MANAGERS

External Lottery Managers require Operators' Licences issued by the Gambling Commission. For more information, see the Gambling Commission's website on www.gamblingcommission.gov.uk

SMALL SOCIETY LOTTERIES

PROMOTED BY A NON-COMMERCIAL SOCIETY ESTABLISHED FOR CHARITABLE PURPOSES; FOR PURPOSE OF ENABLING PARTICIPATION IN OR OF SUPPORTING SPORT, ATHLETICS OR CULTURAL ACTIVITY; OR FOR OTHER NON –COMMERCIAL PURPOSES OTHER THAN PRIVATE GAIN

1. Attach information required: -
 - (a) Purpose for which society established
 - (b) Confirm bona fides of society as non-commercial
 - (c) Declare convictions, if any
- 2 Pay prescribed fee
- 3 Registration valid for life, annual fee payable to Licensing Authority

Lottery requirements: -

1. Society must apply minimum 20% of proceeds to purposes of society
2. No single prize to exceed £25000
3. Rollovers permitted provided all lotteries affected are small society lotteries & maximum single prize does not exceed £25000
4. Tickets must cost the same, be paid for before being entered in draw and include details of society, price, name and address of the person responsible for promotion of the lottery and date of draw

Returns, which must be made no later than 3 months after draw, must be signed by 2 members and include details of: -

5. Dates tickets were available for sale, dates of draw and value of prizes
6. Proceeds raised, amounts deducted for prizes, expenses incurred in organising lottery and where any were paid for other than from proceeds of lottery, the amount and source
7. Amount to be applied to purposes of the promoting society

Registration may be refused if: -

1. Society is not considered to be non-commercial
2. Any person connected with promotion of lottery has been convicted of relevant offence , or
3. Information provided in application is false/misleading

Registration must be refused if an operating licence held by or applied for by the applicant has been revoked or refused in the previous 5 years

Registration may be revoked where grounds exist for an application for registration to be refused.

BUT a registration will not be refused or revoked unless the society has been informed of the reasons and the evidence supporting them and been given the opportunity to make representations

ANNEX G

FEES

The Gambling Act allows licensing authorities to set their own fees for premises licences, subject to maximum levels that have been specified by central government.

- The relevant fee must be sent with an application, in order for the application to be valid.
- The application fee is not refundable if the application is withdrawn or if it is unsuccessful
- A first annual fee is payable within 30 days of the date of licence issue, details regarding this payment will be provided at the time of licence issue
- An annual fee is payable before the anniversary of the licence being granted

Non statutory fees are reviewed by the Licensing Authority on an annual basis in accordance with the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.

Details of current fees can be obtained from the Council's website www.chelmsford.gov.uk

or by contacting The Licensing Department,
Chelmsford City Council,
The Civic Centre,
Duke Street,
Chelmsford,
CM1 1JE

Tel: 01245 – 606727

E-mail: licensing@chelmsford.gov.uk