

POLICY STATEMENT GAMBLING LICENSING 2026



London Borough of
Ealing

Effective from 2 July 2026

London borough of Ealing

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London Borough of
Ealing



Introduction

1.1 The Council is the Licensing Authority under the Gambling Act 2005 “the Act”. The Council is responsible for granting premises licences in the London borough of Ealing in respect of:

- Casino premises
- Bingo premises
- Betting premises, including tracks
- Adult Gaming centres
- Family Entertainment centres

1.2 The Gambling Act 2005 requires the Council to prepare and publish a “Statement of Licensing Policy” that sets out the principles the Council proposes to apply in exercising its licensing functions when dealing with applications for Premises Licences, as required by the Act. The geographical area to which this policy statement applies is shown in Appendix 1.

1.3 The Council notes recent legislative changes introduced by the Gambling Commission in July 2025, including updates to casino premises licences and related entitlements. The Council also acknowledges the Government’s Gambling Act Review White Paper, “High Stakes: Gambling Reform for the Digital Age”, which sets out proposed reforms to gambling legislation. This Policy will be updated as necessary to reflect any further changes in national legislation, statutory guidance, or the implementation of White Paper recommendations. The Council remains committed to reviewing and amending this Policy promptly and will consult with stakeholders as appropriate.

1.4 This Policy Statement takes effect on 2 July 2026. This Licensing Authority will update and publish a new Licensing Policy whenever necessary but, in any case, within 3 years of the date of this Policy, and will fully consult with partners, trade associations and residents’ groups as appropriate at that time, any representations received will be considered at that time.

1.5 However, where updates are required due to changes in national legislation, statutory guidance or contact details, the council reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.

1.6 In producing the final Policy Statement, the Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Gambling (Licensing and Advertising) Act 2014, the Guidance to Licensing Authorities issued by the Gambling Commission, and any codes

of practice and any responses from those consulted on the Policy Statement.

1.7 In exercising its functions under the Gambling Act 2005, the Council has regard to the Regulators' Code and seeks to apply a proportionate, evidence-based and transparent approach to regulation

1.8 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with such a right. The council will have regard to the Human Rights Act when considering any licensing issues, and particularly in respect of the way in which applications are considered and enforcement activities are carried out.

1.9 The council acknowledges that it may need to depart from this Policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interests of the promotion of the licensing objectives. Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded

1.10 At the time of preparation of this revision of Statement of Policy (April 2026), there were:

- Betting shops: 47
- Adult Gaming Centres: 11
- Bingo: 2
- Notifications of automatic entitlement for gaming machines: 71
- Alcohol licensed gaming machine permits: 23
- Family entertainment centre permits: 0
- Club machine permits: 13
- Club gaming permits: 1
- Small society lotteries: 59

1.11 The map with the locations of the above is shown in Appendix 2.



Licensing Framework

Licensing objectives

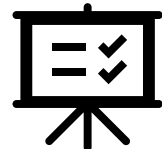
2.1 In exercising most of their functions under the Gambling Act 2005 “the Act” the Licensing Authority must have regard to the licensing objectives, which are:

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

2.3 This Licensing Authority is aware that, as per section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

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



The Local Risk Profile and Risk Assessments by Operators – Licence Conditions and Codes of Practice 2025 (LCCP) (version update 7 August 2025)

2.4 Operators are required to comply with the Licence Conditions and Codes of Practice (LCCP) issued by the Gambling Commission, which set out a comprehensive and mandatory national framework governing the operation of gambling premises. Compliance with the LCCP is a condition of holding a premises licence and is enforced by the Gambling Commission.

2.5 Details regarding the LCCP and SR code can be accessed via the [Gambling Commission website](#).

Local area profile and Local Risk Assessments

2.6 The statement of policy and local area profile are intended to help prevent gambling related harm occurring.

2.7 A newly developed local area profile was produced on 26 January 2026 and is attached as a separate document available here www.ealing.gov.uk/info/201192/a_to_z_of_licences/988/gaming_and_gambling_licences. The document identifies areas of heightened risk or vulnerability. This Authority will pay particular attention to applicants for the new grant of, or variations, to existing premises licences in these areas.

2.8 Irrespective of the area, the Authority will always expect applicants to fully explain in their local risk assessments how their application will not exacerbate any local risks, regardless of location.

2.9 Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The LCCP strongly encourages all operators of; Casinos, AGC's, Bingo Premises, FEC's, Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

2.10 Operators are expected by the SR code to make the risk assessment available to licensing authorities when an application is submitted either for a new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the council's inspection regime and may be requested when officers are investigating complaints.

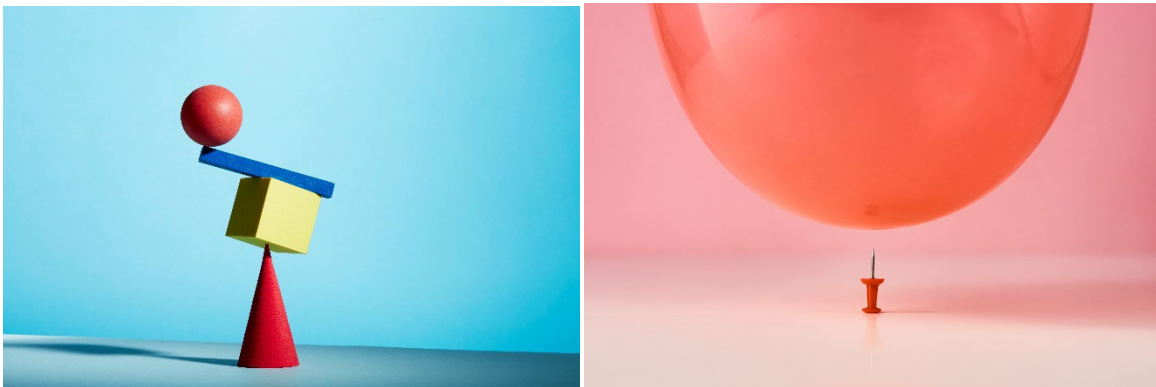
2.11 Any failure to provide a competent risk assessment will be considered by the Council in determining the application, and such

inferences will be made about potential harm to the licensing objectives as appear appropriate.

2.12 The Council considers that these local risk assessments are a key component of the overall assessment and management of the local risks. Operators are expected to have regard to the Borough's local risk profile and the following matters, insofar as they are relevant to the promotion of the gambling licensing objectives:

- information held by the licensee regarding self-exclusions and incidences of underage gambling (the information on the number of individuals and instances where for example self-excluded persons were able to gamble, can allow the business to identify areas where their procedures can be improved)
- arrangement for localised exchange of information regarding self-exclusions and gambling-related risk trends.
- the location and urban setting of premises such as proximity to schools, commercial environment, factors affecting footfall.
- the range and nature of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment, and entertainment type facilities.
- local evidence of gambling-related crime, disorder or safeguarding concerns that are directly linked to gambling activity;
- the design, layout and internal configuration of the premises, including supervision, visibility and access control arrangements.

2.13 The Council expects local area risk assessments to be evidence-based, proportionate and specific to the individual premises. The risk assessment should cover the risks and character of the local area, the gambling operation, and the design of the premises.



Consultation

2.14 The council consulted widely upon this statement before finalising and publishing. List of persons this authority consulted:

- the Chief Officer of Police and Borough Commander
- one or more persons, who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area.
- all gambling Act 2005 Licence and Permit and Registration holders
- 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 Gambling Act 2005:
- various resident groups, forums, and other organisations, including:
 - Gambling Commission, Ward councillors, Fire and Rescue Service, Local Planning Authority team, OPDC, Environmental Health Team, Local Public Health team, Local ASB, Pollution control team, Local Safeguarding Children Board, Department for Culture Media and Sport, Neighbouring Local Authorities, Health and Wellbeing Board, Ealing Advice, British Retail Consortium, UK Hospitality, Ealing Samaritans, Ealing Drug and Alcohol Action Team, Ealing Mind, National Association of Citizen
- Advice Bureau, Gamblers Anonymous, Alcoholics Anonymous, Association of British Bookmakers, British Amusement Catering Trade Association (BACTA), British Casino Association, Casino Operators Association, The Association of Licensed Multiple Retailers, Responsibility in Gambling Trust, Remote Gambling Association
- all residents and businesses within the council's area (through the Council website, social media, and business communication newsletters)

2.15 The consultation took place between 2 February 2026 and 22 March 2026 and followed the Gambling Commission's guidance to Licensing Authorities (Published 1 April 2021, updated 29 July 2025).

2.16 The Gambling Authority Summary of Delegation of Decisions and Functions is presented in Appendix 3. The policy was approved at a meeting of the Full Council on 26 May 2026 and was published via the London borough of Ealing website. Copies were placed in the public libraries of the area as well as being available at our offices in Perceval House.

2.17 It should be noted that this policy statement will not override the right of any person to make an application, or to make representations about an application, or to apply for a review of a licence, as each will be

considered on its own merits and according to the statutory requirements of the Act.

2.18 In preparing this statement of principles the Licensing Authority declares that it has had regard to the licensing objectives of the Act, the Guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

Responsible authorities

2.19 The Licensing Authority is required to state the principles it will apply in exercising its powers under s 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- 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 vested interest group

2.20 The Council has designated the Local Safeguarding Children Partnership (ESCP) dealing with all matters relating to the protection of children from harm. The ESCP comprises the Council's children's service and statutory and voluntary partners and will have jurisdiction throughout the Borough than any particular vested interest group.



Interested parties

2.21 Interested parties can make representations concerning an application or apply for a review of an existing premises. These parties are defined in the Gambling Act 2005 as follows:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities of the business,
- has business interests that might be affected by the authorised activities, or
- represents persons who satisfy a) or b) above

2.22 The Licensing Authority is required to state the principles it will apply in exercising its powers under the Act to determine whether a person is an interested party. The principles are:

- each case will be judged on its merits. This authority will not apply a rigid rule to its decision-making. It will consider the examples of consideration provided in the Gambling Commission's Guidance to Licensing Authorities at 8.12 to 8.17. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups, and medical practices.

2.23 The Gambling Commission has recommended that the Licensing Authority states that interested parties include trade associations and trade unions, and residents' and tenants' association as interested parties. This authority will not however generally view these bodies as interested parties unless they have a member who can be classified as an interested party under the provisions of the Act i.e., lives sufficiently close to the premises to be likely affected by the activities being applied for.

2.24 Any association, union or trade group may be requested by the Licensing Authority to furnish proof of their status as an organisation by providing evidence as to management structure, funding, extent of membership, statement of principles, rules book, minutes of meetings, etc.

2.25 A Member of Parliament or a Ward Councillor can be an interested party. No specific evidence of being asked to represent an interested person will be required if the councillor or MP represents the ward likely to be affected. Other than these however, this authority will generally require written evidence that a person or body (e.g., an advocate or relative) 'represents' someone who either lives sufficiently close to the premises likely to be affected by the authorized activities and or business interests that might be affected by the authorised activities. A letter from one of these persons is deemed sufficient.

2.26 If individuals wish to approach councillors to ask them to represent their views, then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application.

2.27 Ward Councillors are also governed by the protocol for Sub-Committee Hearings and by the Members Code of Conduct for Hearings. These establish under what circumstances Members are entitled to be heard at Sub-Committee hearings. In general, the Licensing Authority will consider amongst other things, the size of the business, the nature of the activities taking place, the distance of the premises from the objector and the specific interest of the objector. These matters are not exhaustive and are examples of some considerations only.

Exchange of information

2.28 The Licensing Authority is required to include in its statement the principle to be applied in exercising its functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, the functions under section 350 of the Act with respect to the exchange of information between it and other persons listed in schedule 6 to the Act.

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

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



Provisional statements

2.31 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence.

2.32 Responsible authorities and interested parties may make representations and there are rights of appeal.

2.33 The applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track)

and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

2.34 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be considered unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it in terms different to those attached to the provisional statement) only by reference to matters:

- Which could not have been raised by the objectors at the provisional statement stage, or Which in the authority's opinion reflect a change in the operator's circumstances, or
- Where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns with the applicant before making a decision.

Licensing objectives in detail

3.1 Premises licences granted must be reasonably consistent with the licensing objectives. Regarding these objectives, this Licensing Authority has considered the Gambling Commission's Guidance to licensing authorities, and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime

3.2 The Licensing Authority is aware that the Gambling Commission takes a lead role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) to make that distinction.

3.3 The Licensing Authority will construe "disorder" as activity that is more serious and disruptive than mere nuisance. This will be a matter of fact and extent in each case.

- this objective is to prevent gambling being "associated" with crime or disorder. Where betting office users are congregating outside premises and behaving in a disorderly manner, conditions may be imposed to mitigate any risks should the licensee not take reasonable steps to prevent such behaviour occurring. For example: Barring access to the premises for those engaging in the behaviour
- ensuring there is adequate surveillance of the outside from within
- installing CCTV to discourage criminal or disorderly behaviour
- establishing Betwatch schemes so that banned from one means banned from all
- assisting in the removal of street furniture such as benches which encourage loitering

Ensuring that gambling is conducted in a fair and open way

3.4 This Licensing Authority has noted that the Gambling Commission state that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is, however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

3.5 This Licensing Authority has noted the Gambling Commissions Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children.)

3.6 The Licensing Authority will therefore consider, as suggested in the Gambling Commission Guidance, whether specific measures are required at premises, regarding this licensing objective. Appropriate measures may include supervision of entrances, machines and segregation of areas etc.

3.7 The Licensing Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

3.8 The Licensing Authority will consider whether in any instance, specific measures will be needed to address such issues in any gaming premises. An example would be adequate supervision of gaming machines at licensed Family Entertainment Centres. These considerations will be particularly relevant on some tracks (where children will be permitted in the betting areas on race-days) and in a regional casino, where children will be permitted in non-gambling areas. Adherence to any Code of Practice relating to casinos issued by the Commission under S.176 Gambling Act 2005 will be a condition of the premises licence.

3.9 In the absence of a legal definition for "vulnerable persons" the Licensing Authority will assume the group to include people who gamble more than they want to, those who gamble beyond their means and people who cannot make informed or balanced decisions about gambling due to a mental impairment, alcohol, or drugs. This Licensing Authority will consider this licensing objective on a case-by-case basis.

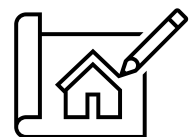
Gambling operations and premises

The Gambling operation

- 4 In the risk factors associated with a gambling operation the assessor should consider the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk. Reference should also be made to the local area profile available www.ealing.gov.uk/info/201192/a_to_z_of_licences/988/gaming_and_gambling_licences.
- 4.1 The assessment must include, but not be limited to, a documented assessment of at least the following factors:
- how the proposed gambling operation will be conducted and managed by the operator
 - what gambling products it provides in the premises
 - the facilities to enable gambling within the premises
 - the staffing levels within the premises
 - the level and requirement for staff training
 - whether loyalty or account cards are used or not
 - the policies and procedures it has in place in relation to regulatory requirements of the Act or to comply with the LCCP;
 - the security and crime prevention arrangements it has in place
 - how it advertises locally and on the premises
 - the marketing material within the premises
 - the display and provision of information, etc

The design of the premises

- 4.2 The design and layout of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. In assessing the risk factors associated with the premises design and layout reference is needed to the local area risks factors already identified to ensure the design doesn't add to that risk. The design, both internal and external should be considered and an assessment must be carried out to include, but not be limited to, a documented assessment of at least the following factors with regards to design and layout:



- the premises may have several support pillars which the assessor identifies as obstructing the view of the gaming machines gaming machines from the cashier counter

- the assessor may identify that the design of the entrance to the casino is not sufficiently covered by CCTV to enable the identification of offenders.
- if a premises has a large amount of glass frontage in an area prone to criminal damage, the assessor may consider the risk of damage to the standard toughened glass to be high.

4.3 These identified risk factors must be documented.

Licensing authority functions

5.1 The Licensing Authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing premises licences
- issue provisional statements
- regulate Members' clubs and miners' welfare institutes who wish to undertake some gaming activities via issuing Club Gaming Permits and or Club machine permits
- issue Club Machine permits to commercial clubs
- grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- receive notifications from alcohol-licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines.
- issue Licensed Premises Gaming Machine Permits for premises licensed to sell or supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.
- register small society lotteries below prescribed thresholds
- issue Prize Gaming Permits
- receive and endorse Temporary Use Notices
- receive Occasional use Notices
- provide information to the Gambling Commission regarding details of licences issued (**see section on 'exchange of information'**)
- maintain registers of the permits and licences that are issued under these functions

5.2 It should be noted that licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

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Premises Licences

5.3 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions. Licensing authorities can exclude default conditions and attach others, where it is believed to be appropriate.

5.4 When making decisions on applications regard will be had to any relevant guidance or code of practice issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with the authority's statement of policy.

5.5 It is appreciated that as per the Gambling Commission's guidance moral objections to gambling are not a valid reason to reject applications for premises licences (except regarding any 'no casino' resolution.).

General Principles

5.6 In determining applications for premises licences, the Council will have regard to its duty under section 153 of the Gambling Act 2005 to aim to permit the use of premises for gambling, insofar as it considers such use to be reasonably consistent with the licensing objectives and this Statement of Licensing Policy

.

Definition of “premises”

5.7 In the Act “premises” is defined as including “any place” (S353). Section 152 prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track, or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub- divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

5.8 Note will be taken of the Gambling Commission Guidance when considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non- gambling) purposes. There should be specific issues that the authority should consider, for example, whether children can gain access, compatibility of the two establishments and ability to comply with requirements of the Act.

5.9 The Guidance gives a list of factors, which the authority should be aware of:

- do the premises have a separate registration for business rates?
- is premises’ neighbouring premises owned by the same person or someone else?
- can each of the premises be accessed from the street or a public highway?
- can the premises only be accessed from any other gambling premises

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

5.11 It should be noted that whilst an application can be made, applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to “the premises” are to the premises in which gambling may now take place. Thus, a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. It is a question of fact and degree whether premises are finished whilst considering issuing the premises licence. The Gambling Commission emphasises that requiring the building

to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

Location

5.12 The Licensing Authority is aware that demand issues cannot be considered regarding the location of premises but that considerations in terms of the licensing objectives are relevant to its decision making. As per the Gambling Commission's guidance particular attention will be paid to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. For example, scrutiny will be applied where a gambling premises is located close to a school or a treatment centre for gambling addiction. In any event, each case will be decided on its merits.

5.13 Should any specific policy be adopted with regards to gambling premises, this statement will be updated as necessary to reflect any potential impact. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how potential concerns can be overcome.



Duplication with other regulatory regimes

5.14 The Licensing Authority will seek to avoid any duplication with other statutory and regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. Such considerations are subject to different legal and administrative systems. It will though, listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise. The grant of a gambling premises licence does not preclude any appropriate enforcement action arising from planning or building legislation.

Conditions

5.15 All gambling premises licences granted under the Gambling Act 2005 are subject to mandatory conditions and default conditions prescribed by the Act and the Licence Conditions and Codes of Practice (LCCP). These conditions are intended to ensure that premises operate in a manner that is consistent with the licensing objectives.

5.16 The Council will only impose additional conditions where there is clear and specific evidence of a risk to one or more of the licensing objectives, and where those risks are not adequately addressed by mandatory conditions, default conditions, or the mitigation measures set out in the operator's local area risk assessment.

5.17 When considering whether to impose conditions on a premises licence, the Council will have regard to its duty under section 153 of the Gambling Act 2005 to aim to permit the use of premises for gambling, and will only impose conditions where they are necessary, proportionate and directly related to the promotion of the licensing objectives, having regard to relevant codes of practice, guidance issued by the Gambling Commission and this Statement of Licensing Policy

5.18 Any conditions attached to licences will be proportionate and will be:

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

5.19 Conditions will be imposed to mitigate any risks that have a negative social impact by those premises operating or wishing to locate in high-risk areas or local areas of deprivation. In such areas, gambling premises may have a higher impact on the licensing objectives. They will need to mitigate their presence and take extra measures to minimise their local stress, such as:

- no single working where operators are not in control of the inside of their premises and where those customers spill outside onto the pavement causing anti- social behaviour
- reporting of all criminal offences and disorder to the Licensing Police and the Licensing Authority. This would include instances where gaming machines have been damaged by customers. Apart from having internal procedures which would include the recording of such instances they must also be reported. If it is found that licensees are not reporting to the Authorities, then their premises licence could be reviewed.

5.20 Decisions on individual conditions will be made on a case-by-case basis, although there will be several measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. The licence authority will also expect the licence applicant to offer his or her own suggestions as to a way in which the licensing objectives can be effectively met.

5.21 The Licensing Authority will also consider specific measures, which may be required for buildings, which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non- gambling areas frequented by children; and the supervision of gaming machines in non- adult gambling specific premises to pursue the licensing objectives. These matters are in accordance with the Gambling Commission Guidance.

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

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

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

5.24 It is noted that there are conditions, which the Licensing Authority cannot attach to premises licences, which are:

- where it makes it impossible to comply with an operating licence condition
- where it relates to gaming machine categories, numbers, or method of operation
- Which provide that membership of a club or body be required
- Which relate to stakes, fees, winning or prizes

Types of premises

Adult Gaming centres

6.1 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 premises. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances and or machine areas
- Physical separation of areas
- Location of entry
- Notices and signage
- Provision of information leaflets and helpline numbers for organisations such as GamCare
- Specific opening hours

6.2 The list is not mandatory or exhaustive and is merely indicative of example measures.

6.3 In light of instances of Adult Gaming Centres presenting themselves as 'casinos', premises must not display internal or external signage that is misleading or suggests a different class of gambling premises licence than that held under section 150 of the Gambling Act 2005

6.4 The Licensing Authority will also seek to protect vulnerable persons by considering the use of self-barring schemes; the provision of leaflets and other advisory information or help line numbers for organisations such as GamCare.

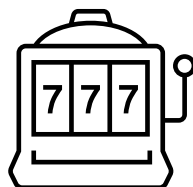
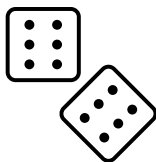
Licensed Family Entertainment centres

6.4 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, for example, that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- CCTV
- supervision of entrances and machine areas
- physical separation of areas
- location of entry
- notices or signage
- specific opening hours
- measures and training for staff on how to deal with suspected truant school children on the premises

6.5 The list is not mandatory or exhaustive and is merely indicative of example measures.

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



Casinos

6.7 The Licensing Authority resolved on the 11th of December 2012 not to issue casino premises licences pursuant to section 166 of the Act.

6.8 The council has reaffirmed the 'no casino' resolution every three years following statutory consultation and review. This decision is based on several key factors. Firstly, the Council is committed to upholding the licensing objectives of the Gambling Act 2005, particularly the protection of children and vulnerable persons from being harmed or exploited by gambling. Local demographic data and research indicate possible links between deprivation and problem gambling, and the Council is mindful of the potential social and economic harms that casino gambling could bring to the borough. Public consultation responses have consistently shown strong community opposition to the introduction of casinos in Ealing, with concerns raised about crime, anti-social behaviour, and the impact on the character and vitality of local high streets. The Council's approach is also informed by evidence from other local authorities and research on gambling-related harm.

6.9 By maintaining a 'no casino' resolution, the Council retains local control and can review its position in the future if circumstances change, ensuring that any decision to permit casinos would be made on Ealing's own terms and in the best interests of its residents.

6.10 Potential licence applicants should note that as a 'no-casino' resolution has been passed by this authority no applications for casino premises will be considered. Any applications received will be returned with a notification that a 'no-casino' resolution is in place.



Gambling Act 2005

Bingo

6.11 This Licensing Authority notes the Gambling Commissions Guidance at paragraph 18.4 and will need to be satisfied that bingo can be played in any bingo premises for which they issue a premises licence. This is particularly relevant where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

6.12 The Licensing Authority recognise that where children are allowed access to premises offering bingo, they must not participate in any bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

6.13 Where category C or above machines are available in premises to which children are admitted the Licensing Authority may impose the conditions to ensure that:

- there is complete physical separation of the areas containing higher category machines- to be accessed via a designated entrance
- adult only access to such areas
- appropriate area supervision
- machines to be fully visible to the licence holder's staff
- signage indicating exclusion of under 18s to be prominently displayed at the entrance and inside the area.
- proof of age schemes
- CCTV
- staff levels and competence and training



Betting premises

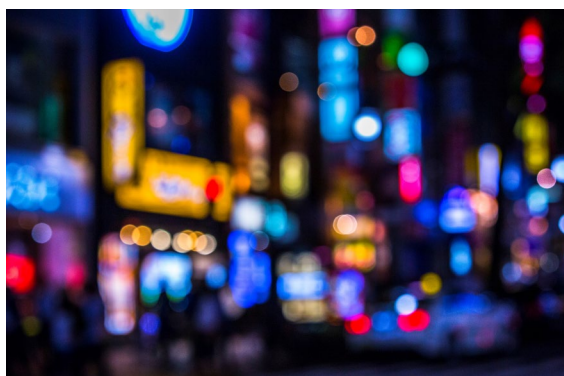
6.14 Betting premises can provide a limited number of gaming machines as well as some betting machines. The Licensing Authority will not normally use its powers to restrict the number of betting machines unless there are good reasons to do so. If that is the case, the Licensing Authority will, as per the Gambling Commission Guidance, consider amongst other things when considering the number, nature and circumstances of betting machines an operator wants to offer.

- 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 machines by children and young persons (illegal) or by vulnerable persons

6.15 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 premises. Appropriate licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- shop Front display and visibility
- door supervisors
- supervision of entrances
- location of entry
- notices or signage
- provision of information leaflets and helpline numbers for organisations such as GamCare
- specific opening hours

The list is not mandatory or exhaustive and is merely indicative of example measures.



Tracks

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

6.17 The authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing or horse racing takes place, but they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

6.18 The authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing or horse racing takes place, but they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

6.19 This authority may consider measures to meet the licensing objectives such as:

- exclusion of children from track areas
- proof of age schemes
- CCTV
- supervision of entrances and machine areas
- physical separation of areas
- location of entry
- notices or signage
- specific opening hours
- self-barring schemes
- provision of leaflets and helpline numbers for organisations such as GamCare

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

6.21 In determining an application for approval of on-course betting facilities, the Licensing Authority expects the applicant to:

- in the case of dog tracks and horse racecourses to indicate the location of fixed and mobile pool betting facilities operated by the Tote or track operator as well as any other proposed gambling facility (including gaming machines)
- provide a detailed plan of the exact location(s) on the site where betting is to take place (including temporary structures)
- indicate all measures for administering betting, including whether specified areas have been set-aside for such purposes.
- indicate all measures that will be adopted to prevent children and young persons from accessing any gaming machines other than category D that may be present

6.22 The Licensing Authority will expect track operators to take responsibility for prominently displaying the rules near all betting areas and or that other measures are used to make them available to the public. There is also an expectation that track operators will have a demonstrable monitoring system to ensure that only holders of valid betting operators' licences can access the site.



Travelling Fairs

6.23 Travelling Fairs do not require any permit to provide gaming machines but must comply with the legal requirements on the way the machine operates. An unlimited number of category D machines and or equal chance prize gaming can be provided without a permit, but gambling facilities must not amount to more than an ancillary amusement at the fair

6.24 The Licensing Authority will judge whether the travelling fair meets the statutory definition. The Licensing Authority will liaise with neighbouring authorities under circumstances where there are joint concerns or where boundary issues are involved.



Vessels and Vehicles

6.25 The Licensing Authority will have jurisdiction over gambling conducted on vessels in all inland waterways at permanent moorings.

6.26 In the case of a vessel seeking a premises licence the Licensing Authority will restrict its interests to the promotion of the Licensing Objectives. Operational safety will be the subject of certification by the relevant authority e.g. Navigation Authority. The relevant Licensing Authority for pleasure boats is the one having jurisdiction for the area in which a vessel is usually moored or berthed.

Permits and Notices

Permits, Temporary and Occasional Use Notices Permits

7.1 The Act introduces a range of permits for gambling, which are granted by licensing authorities. Forms of authorisations other than premises licences are as follows:

- unlicensed Family Entertainment Centres
- gaming Machines on alcohol-licensed premises
- club Gaming Machines
- club Gaming
- prize Gaming

7.2 The Licensing Authority may only grant or reject an application for a permit. No conditions may be attached to a permit.

Unlicensed Family Entertainment centres gaming machine permits (Statement of principles on Permits – Schedule 10 Para 7)

7.3 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The applicant must demonstrate that the premises will be wholly or mainly used for making gaming machines available for use. Any number of category D machines can be provided under this permit. Restrictions imposed under the requirements of other legislation e.g. fire safety is not a matter for the Licensing Authority.

7.4 Applicants will be expected to demonstrate:

- A full understanding of the maximum permissible stakes and prizes
- That the applicant has no relevant convictions (see Schedule 7 of the Act)
- That staff are fully trained in understanding maximum stake and prizes

7.5 The Licensing Authority expects the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures

will each be considered on their merits, however, they may include Criminal Records Bureau checks for staff, and training for staff on dealing with very young unsupervised children or dealing with children causing perceived problems on or around the premises. The authority is not limited to these considerations and will determine each application on its merit

7.6 Regarding renewals of these permits, a Licensing Authority may only refuse an application for renewal on grounds that:

- a local authority officer has been refused access to the premises without reasonable excuse or,
- renewal would not be reasonably consistent with pursuit of the Licensing Objectives.

(Alcohol) Licensed premises Gaming machines permit (schedule 13 paragraph 4 (1))

7.8 Section 282 of the Act provides an automatic entitlement to the holder of an on-licensed premises, to make available two gaming machines (of category C or D) for use in alcohol licensed premises. Any provision of a code of practice made under S.24 of the Act concerning the location and operation of a machine, must however be complied with.

7.9 The Licensing Authority can however remove the automatic authorisation by virtue of an order (under S.284) if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of S.282
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

7.10 The Licensing Authority will when considering an application for a permit for more than two machines, have regard to the licensing objectives, relevant guidance issued by the Gambling Commission and such matters as the Licensing Authority deems relevant. Each application will be judged on its merits but measures to protect children and vulnerable persons from harm or exploitation will be paramount. For example, measures to prevent access to adult only gaming machines, might include siting them where they can be readily observed from the bar and providing good warning signs or notices.

7.11 Should the holder of an alcohol licensed premises gaming machine permit apply for a premises licence for their non-alcohol areas, such

application would be dealt with as an Adult Entertainment Centre premises licence.

Prize Gaming permits (statement of principles on permits – schedule 14 paragraph 8 (3))

7.12 The Licensing Authority will expect the applicant to set out the types of gaming on offer and be able to demonstrate:

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

7.13 The Licensing Authority in considering an application for a permit does not need (but may choose) to have regard to the licensing objectives but in any event will have regard to any guidance issued by the Gambling Commission. It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but the Licensing Authority cannot attach conditions. The conditions in the Act are:

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

7.14 The Licensing Authority will not refuse an application unless the applicant has been given notification of the intention to refuse with accompanying reasons and given them an opportunity to make representations orally or in writing or both.

- Each application will be determined on its merits, but the Licensing Authority will expect the applicant to demonstrate the measures to be taken to protect children and vulnerable persons from being harmed in light of the types of gaming being offered.

- The grounds for decision making as regards renewals are the same as for initial applications.

Club Gaming and Club Gaming machine permits

7.15 Members Clubs and Miners' Welfare Institutes (but not commercial clubs) may apply for a:

- Club Gaming Permit – to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance
- Club Gaming Machines permit – as per gaming machines in part a) above.

7.16 Before granting a permit, the Licensing Authority must be satisfied that applicants fulfil the statutory criteria for members clubs contained in sections 266 and 267 Act. A permit may be granted provided the majority of members are over 18.

7.17 The Licensing Authority may only refuse an application on the grounds that:

- The applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the permit
- The applicants' premises are used wholly or mainly by children and or young persons.
- An offence under the Act or a 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; or
- An objection has been lodged by the Commission or the police

7.18 The Licensing Authority recognises that a "fast-track" procedure applies to premises already holding a Club Premises Certificate under the Licensing Act 2003. Under such circumstances the only grounds on which to refuse a permit is as follows:

- That the club is established primarily for gaming, other than gaming prescribed under Schedule 12.
- That in addition to the prescribed gaming, other gaming facilities exist; or
- That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.
- The procedure for renewal is the same as for an application.

Temporary Use Notices (TUN)

7.19 This allows the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that may be suitable for a TUN, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

7.20 A TUN may only be granted to a person or company holding a relevant operating licence, i.e., a non-remote casino operating licence.

7.21 The Licensing Authority will give careful consideration to applications, which involve what appears to be a "set of premises" as opposed to an individual premise. This will be a matter of fact as to how individual buildings may be sub-divided, occupied and managed and the applicant must provide detailed information as to their use and interest in a particular premises or part thereof.

7.22 The Licensing Authority can issue a TUN in respect of "any part" of a set of premises but there is a statutory maximum of 21 days applying to a set of premises, which must not be exceeded in a 12-month period.

7.23 This new proviso is to try and ensure that regular gambling does not take place in a "set of premises" via temporary permission status, by deriving more than the 21-day maximum period, which applies to a single premise. Guidance cites a large exhibition centre as possibly falling within the definition of a set of premises.

7.24 If no objections are made within 14 days of the notice date, the Licensing Authority will endorse the notice as valid and return it to the applicant.

Occasional Use Notices

7.25 The Licensing Authority has very little discretion as regards these notices aside from insuring that the statutory limit of 8 days in a calendar year is not exceeded. This Licensing Authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him or herself of the notice.

Registration of Small Society lotteries

7.26 A lottery is unlawful unless it is licensed by the Gambling Commission, is part of a National Lottery or is an exempt lottery by virtue of their proceeds being below a specified level. In such latter instance a society must register with the Licensing Authority.

7.27 A society must be non-commercial and will be deemed so if it is established and conducted:

- For charitable purposes.
- For the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- For any other non-commercial purpose other than that of private gain.

NB A lottery is “small” if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of sale tickets in a calendar year is £250,000 or less.

7.28 Exempt lotteries include small society lotteries and:

- Incidental non-commercial lotteries-promoted wholly for purposes other than private gain, and which are incidental to non-commercial events E.g., charity fund raising events.
- Private lotteries which may be:
 - Private society lotteries
 - Work lotteries
 - Residents’ lotteries
 - Customer lotteries

7.29a The Licensing Authority will refuse applications for registration if in the previous 5 years either an operating licence made by the applicant for registration has been revoked, or an application for an operating licence made by the applicant has been refused.

7.29 The Licensing Authority may refuse an application for registration if they think that:

- The applicant is not a non-commercial society
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, or
- Information relating to the application is false or misleading.

7.30 The Licensing Authority expects applicants to set out the purposes for which the society is established and to declare themselves a bona fide non-commercial society with no relevant convictions. The Licensing Authority reserves the right, notwithstanding any declaration made, to make further enquiries about an applicant, deemed necessary considering known individual circumstances or facts.

7.31 If the Licensing Authority is minded to refuse registration or revoke the registered status of a society, it will afford the society concerned the opportunity to make a representation, having provided the society with reasons and evidence to that effect.

7.32 Societies must take appropriate steps when employing external lottery managers to ensure that the individual holds an operators' licence issued by the Commission. Licensing authorities will require assurance on this point.

Enforcement and compliance

8.1 The Licensing Authority is required to state the principles to be applied by the Licensing Authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the Licensing Authority have powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified under the Act.

8.2 This Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance to licensing authorities and will have regard to the Regulators' Code, which provides a clear, flexible, and principles-based framework for how regulators should engage with those they regulate. The authority will ensure that it operates in accordance with the principles below:

- Regulators should carry out their activities in a way that supports those they regulate to comply.
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
- Regulators should base their regulatory activities on risk.
- Regulators should share information about compliance and risk.
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
- Regulators should ensure that their approach to their regulatory activities is transparent.

8.3 In line with the above, the Local Authority will ensure that all actions are:

- Proportionate: the Licensing Authority will only intervene where necessary, avoiding unnecessary burdens and enabling economic growth for compliant businesses. The authority will continue to invest in their officers to ensure necessary knowledge and proportionate and effective approach.
- Accountable: all decisions will be justified and be subject to public scrutiny. There are established complaint and appeal procedures in place and the authority will follow all mechanisms to ensure adequate engagement with those that are regulated or impacted by the actions taken by the authority. The officers will clearly explain the non-compliance found, be open to a dialogue (where appropriate) and provide clear, impartial, and timely information.
- Consistent: rules and standards will be joined up and implemented fairly.
- Transparent: the authority will seek to be transparent, keep regulation open, simple and user friendly.

- Targeted: regulation will be focused on the problem and minimise side effects.

8.4 As per the Gambling Commission Guidance to Local Authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

8.5 The Licensing Authority will seek to address complaints about licensed premises or activities, relating to the licensing objectives. Other types of complaint should be directed to the appropriate enforcing authority e.g., Council's Noise and Nuisance Team for any concerns of excess noise emanating from the premises. Complainants are however encouraged to approach business proprietors at first instance to raise concerns and seek local resolutions.

8.6 Licensing is not the primary mechanism for controlling anti- social behaviour away from premises and beyond the direct control of operators. However, it remains a key aspect of such control and licensing is part of the holistic approach to the management of the evening and night- time economy in town and city centres.

8.7 The Licensing Authority supports a partnership approach with other regulatory bodies in respect of enforcing the provisions of the Act. This will be reflected in the nature and extent of the working arrangements agreed between those bodies and the Licensing Authority, and on the need for the efficient deployment of staff and avoidance of duplication of role. Special arrangements will be maintained with the Police to achieve those ends.

8.8 This Licensing Authority has adopted and implemented a risk-based inspection programme, based on:

- The Licensing objectives
- Relevant Codes of Practice
- Guidance issued by the Gambling Commission, in particular at part 36
- The Principles set out in this Statement of licensing policy

8.9 The main enforcement and compliance role for this licence authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions, which it authorises.

8.10 The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the Licensing Authority but should be notified to the Gambling Commission.

8.11 Bearing in mind the principles of transparency, this Licensing Authority's enforcement policy is available on request to the licensing department.

Enforcement officers and authorised persons

8.12 S.303 of the Act enables the Commission to designate employees of the Commission and to appoint persons other than employees as enforcement officers for the purpose of the Act. Such persons are deemed to be authorised if:

- the premises are wholly or partly situated in the authority's area; and
- the officer is designated by the authority as an authorised person for the purposes of s.304.
- Designation of someone as an authorised person for the purposes of section 304(2) is carried out by the Licensing Authority in accordance with its scheme of delegation.

8.14 These authorised persons will exercise their inspection powers in accordance with the principles set out in the Licensing Authority's policy statement.

Powers of entry

8.15 The Act states that authorised persons, constables and enforcement officers may: undertake activities for the purpose of assessing compliance with provisions made under the Act or to assess whether an offence is being committed under the Act; enter premises if they reasonably suspect that facilities for gambling are being, are about to be, or have been provided on the premises. This would include a private club but does not apply if the suspected gambling is private or non-commercial gaming or betting (s.307).

8.16 Where an application for a club gaming permit or club machine permit has been made, enforcement officers or the police may also enter a members' club, a commercial club or miners' welfare institute, to determine whether gaming is taking place or is about to take place on the premises; and such gaming meets the requirements for exempt gaming in section 269 of the Act, a club gaming permit or a club machine permit.

8.17 Only police officers and enforcement officers can enter the premises that have been granted a permit to determine if the activities are in accordance with that permit (and not primarily because they suspect a crime is taking place or has taken place). Under s.318 of the Act a constable, enforcement officer or authorised person can only enter a dwelling under a warrant issued by a justice of the peace. In all circumstances, only a police officer or enforcement officer can seize evidence.

Enforcement operations and prosecutions

8.18 The Council will take formal enforcement action against those providing or facilitating illegal gambling on premises. But the Commission will generally take the lead in prosecuting the offence of providing facilities for widespread and organised gambling.

8.19 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action.

8.20 From time to time this authority will carry out test purchasing in partnership with the police to detect whether children and young persons are accessing adult only gambling premises or are engaged in gambling intended for adults.

8.21 The Act gives licensing authorities in England and Wales, the police and the Commission the power to institute prosecutions for specified offences to include at s37 of the Act the offence of using premises, for

gambling activities such as a casino, bingo, gaming machines, other gaming, or betting without the required authorisation. In exceptional circumstances, such as repeated deliberate breaches of premises licence conditions, licensed operators or permit holders may be prosecuted without any prior regulatory action, such as warnings, suspension or revocation of licence or removal of permit. Most prosecutions will be against those illegally providing gambling without a licence or permit.

8.22 There is a distinction between those who conduct gambling operations under a licence or permit but breach the conditions of that, and those who seek to profit from providing facilities for gambling without a licence or permit. While both situations result in unlawful gambling, the latter situation is generally considered by the Council and the Commission to be more serious.

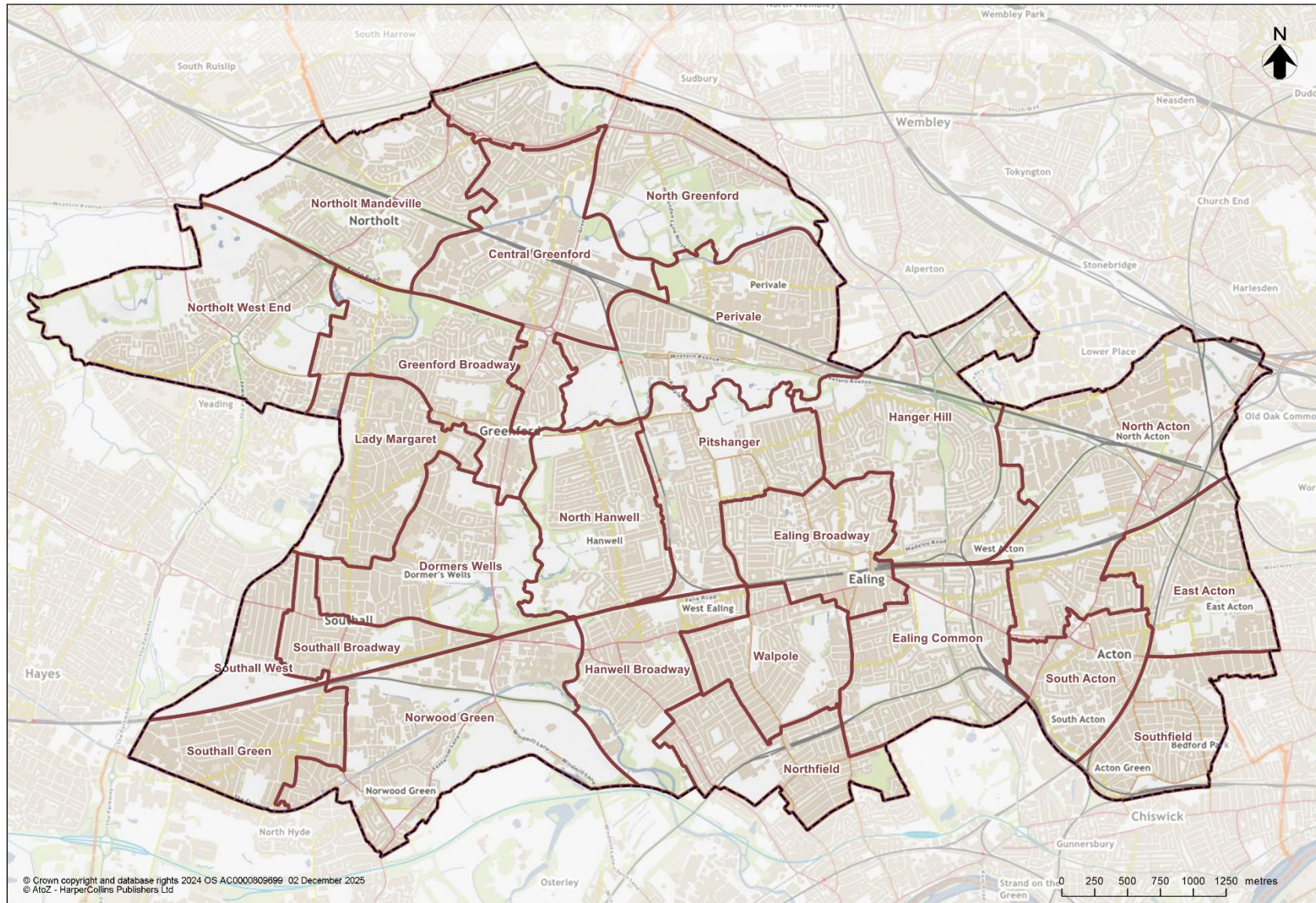
Reviews

8.23 Requests for review of a premises licence can be made by Interested Parties, or their appointed representatives, or by Responsible Authorities, however, it is for the Licensing Authority to decide whether the review is to be carried out. This will be based on whether the request is relevant to issues listed below as well as to consideration as to whether the request is frivolous, vexatious, or irrelevant, or is substantially the same as previous representations or requests for review.

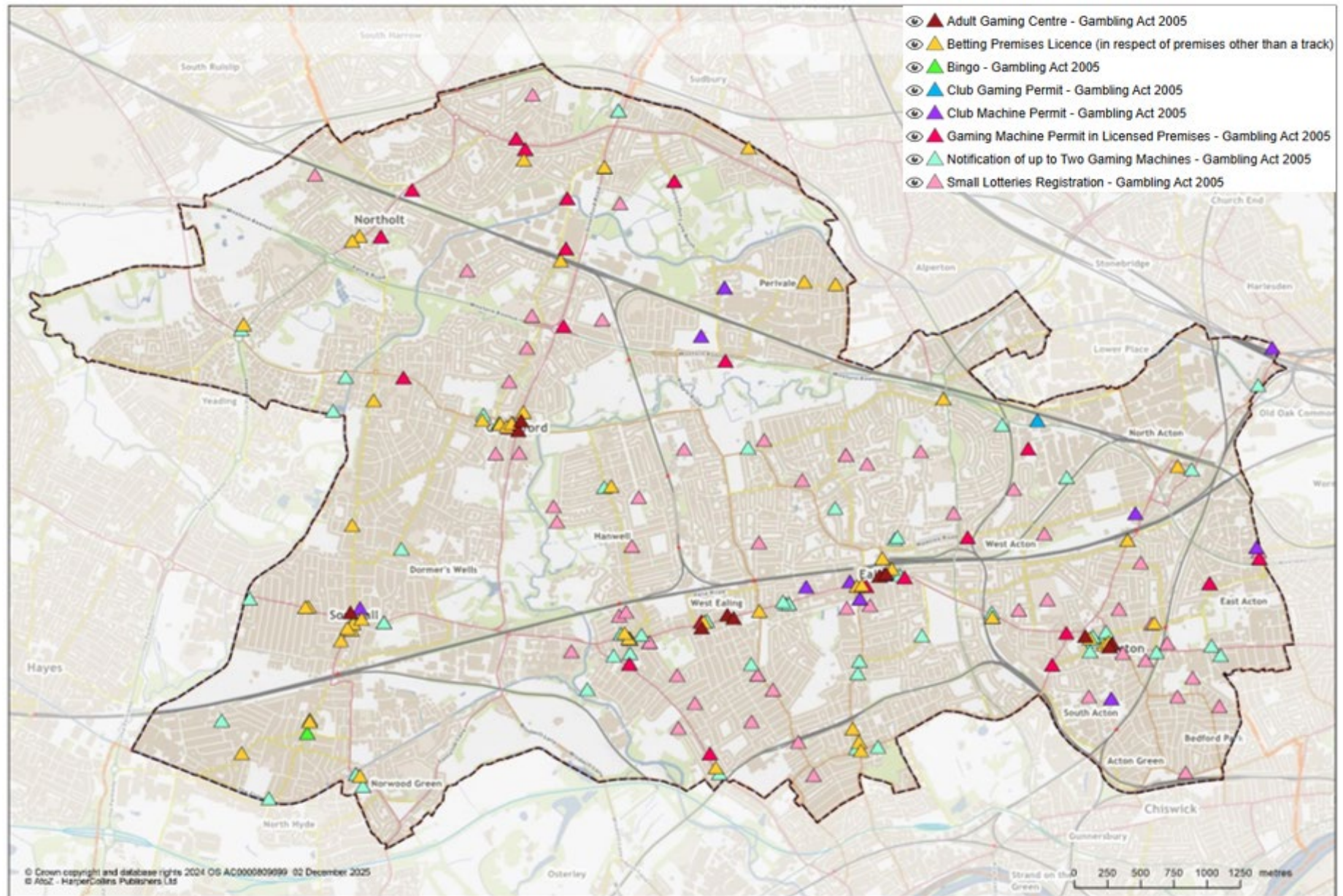
- In accordance with any relevant code of practice issued by the Gambling Commission
- In accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the gambling Licensing Objectives
- In accordance with the authority's Statement of Licensing Policy for Gambling
- The Licensing Authority can also initiate a review of a licence based on any reason, which it thinks is appropriate.

Appendices

Appendix 1: Geographical area of London borough of Ealing



Appendix 2: Map showing gambling premises



Appendix 3: Gambling authority summary of delegation of decisions and functions

Table 1 Gambling authority summary of delegation of decisions and functions

Matter to be dealt with	Full council	Sub-Committee and Licensing Committee	Officers
Final approval of three-year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting		X (if delegated by Full Council)	
Applications for new premises licences or a variation to an existing one		Where representations have been received and not withdrawn	Where no representations received, representations have been withdrawn
Application for a transfer of licence		Where representations have been received and not withdrawn	Where no representations received, representations have been withdrawn
Application of a provisional statement		Where representations have been received and not withdrawn	Where no representations received, representations have been withdrawn
Review of premises licence		X	

Matter to be dealt with	Full council	Sub-Committee and Licensing Committee	Officers
Application for club gaming, gaming machine permits		Where representations have been received and not withdrawn	Where no representations received, representations have been withdrawn
Cancellation of a club gaming, gaming machine permits		X	
Application for other permits			X
Cancellation of licensed premises gaming making permits			X
Consideration of Temporary Use Notice			X
Decision to give a counter notice to a Temporary Use Notice		X	