

04 September 2018



You are summoned to attend a meeting of the PLANNING COMMITTEE to be held at 7:00pm in the Council Chamber at the address below on **Monday** 10th September 2018.

Town Councillors are reminded that they have a duty to state a Declaration of Interest prior to the appropriate agenda item and to consider the Crime and Disorder Act 1998 s.17 when reaching a decision.

Please note that the proceedings of this meeting may be recorded in line with regulations set out in the Openness of Local Government Bodies Regulations 2014. A copy of Sevenoaks Town Council's procedure for the recording meetings is available online at sevenoakstown.gov.uk or by request. Members of the public addressing the Committee but not wishing to be recorded should put this request to the Clerk at the earliest possible opportunity.

Town Clerk

Committee Members

Cllr Arnold
Cllr Busvine OBE
Cllr Canet
Cllr Chakowa
Cllr Clayton
Cllr Eyre – **Vice Chairman**
Cllr Hogarth
Cllr Mrs Parry

Cllr Parry
Cllr Parson
Cllr Piper - **Chairman**
Cllr Raikes
Cllr Schneider
Cllr Towell
Cllr Waite
Cllr Walshe

PUBLIC QUESTION TIME

To enable members of the public to make representation or to put questions to the Committee on any planning matters, with the exception of individual planning applications which will be considered under a later agenda item.

AGENDA

- 1 APOLOGIES FOR ABSENCE
To receive and note apologies for absence.

Town Council Offices
Bradbourne Vale Road
Sevenoaks Kent TN13 3QG

tel: 01732 459 953 fax: 01732 742 577
email: council@sevenoakstown.gov.uk
web: sevenoakstown.gov.uk



2 REQUESTS FOR DISPENSATIONS

To consider written requests from Members which have previously been submitted to the Town Clerk to enable participation in discussion and voting on items for which the Member has a Disclosable Pecuniary Interest. (s.31 & s.33 of the Localism Act 2011)

3 DECLARATIONS OF INTEREST

To receive any disclosures of interest from Members in respect of items of business included on the agenda for this meeting.

4 MINUTES

To receive and sign the minutes of the Planning Committee meeting held 28th August 2018.

5 DEVELOPMENT CONTROL COMMITTEE

To note that the following plan is due to be considered at Development Control Committee on **6th September 2018**:

- SE/17/03508/FUL – 3 Webbs Court, Buckhurst Lane

6 REVISED GAMBLING POLICY: CONSULTATION

To note that a copy of Sevenoaks District Council's consultation document "Draft Gambling Policy 2019" is being circulated with the agenda for information.

To note that Sevenoaks District Council have set a deadline for comments of **midnight on Sunday 14th October 2018**.

7 PLANNING APPLICATIONS

a) To receive and note planning applications considered under Chairman's Action.

b) The meeting will be adjourned to enable members of the public, by prior arrangement, to speak on individual planning applications which are on the current agenda.

Members of the public wishing to speak and address the Planning Committee must register to do so with the Town Council by 12 noon on the date of the meeting, stating that they wish to speak.

c) The meeting will be reconvened to consider planning applications received during the two weeks ending 4th September 2018.

8 PRESS RELEASES

To consider any agenda item which would be appropriate for a press release.

Minutes of the PLANNING COMMITTEE held in the Council Chamber, Town Council Offices, Bradbourne Vale Road, Sevenoaks on 28th August 2018 at 7:10pm

Present:

Committee Members

Cllr Arnold	Apologies	Cllr Parry	Present
Cllr Busvine OBE	Present	Cllr Parson	Present
Cllr Canet	Present	Cllr Piper - Chairman	Present
Cllr Chakowa	Apologies	Cllr Raikes	Present
Cllr Clayton	Present	Cllr Schneider	Apologies
Cllr Eyre – Vice Chairman	Present	Cllr Towell	Present
Cllr Hogarth	Present	Cllr Waite	Apologies
Cllr Mrs Parry	Present	Cllr Walshe	Apologies

Also in attendance:

Deputy Town Clerk
Planning Assistant

PUBLIC QUESTION TIME

None

211 REQUESTS FOR DISPENSATIONS

No requests for dispensations had been received.

212 DECLARATIONS OF INTEREST

Cllr Piper declared a non-pecuniary interest in application:

[11] 1 Beacon Rise

213 MINUTES

The Committee received and considered the minutes of the Planning Committee meeting held on 13th August 2018.

RESOLVED: That the minutes be approved and signed as an accurate record.

[199] – **DRAFT LOCAL PLAN CONSULTATION JULY 2018**

It was noted that a Working Party had been held prior to the meeting on 28th August to discuss Sevenoaks Town Council’s response and that:

- i. A draft response be circulated by Friday 31st August
- ii. Councillors would provide feedback and requests for clarification by Tuesday 4th September
- iii. The final version of the response would be submitted by Friday 7th September

214 SOUTH EAST WATER: PROPOSED NEW WATER MAIN IN SEVENOAKS

The Committee received and considered the letter “Improving the water supply network in Sevenoaks” received from South East Water on 16th August 2018.

RESOLVED:

- a) That Sevenoaks Town Council would prepare a response
 - i. To state that members unanimously supported Proposal Two (laying the reinforcement main principally in private land to the east of the A225, including a section of Knole Park).
 - ii. To emphasize the extreme disruption that would be caused by Proposal One (laying the reinforcement main along the High Street and Tonbridge Road (A225) between Dartford Road and Solefields Road).
- b) That clarification be sought with regards to:
 - i. The duration of works for both proposals
 - ii. The exact route through the Seal Hollow Road area and potential need for pumping.

215 PLANNING APPLICATIONS

- a) The Committee noted applications submitted under Chairman’s Action.
- b) The Committee considered planning applications received during the two weeks ending 21st August 2018. **It was RESOLVED that** the comments listed on the attached schedule be forwarded to Sevenoaks District Council.

216 PRESS RELEASES

None

Finished 7.38pm

Planning Applications Considered

Applications considered on 28-8-18

1	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/01675/ADV	H Donnellan 29-08-2018	Cllr Busvine	N/A
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mrs P McMullan		Card Factory	5B Blighs Road	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				09/08/18
<p>Erection of a fascia and hanging sign.</p> <p>18/01675/ADV - Amended plan</p> <p>Site location plan and red hatching outlines have been amended. The correct property is situated within 5 Blighs Walk (sic), the application form has now been amended.</p>				

Sevenoaks Town Council recommended approval.

2	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/01878/FUL	Louise Cane 29-08-2018	Cllr Towell	Mr B Best 455029
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr R Best			4 Westwood Way	Northern
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				09/08/18
<p>Demolition of existing garage and outbuildings and rear chimney. Construction of a 2 storey side extension to form a 2 bedroom dwelling. Creating a new access.</p> <p>18/01878/FUL - Amended plan</p> <p>Amended plans have been submitted indicating the approved works on no.4 in relation to the proposed dwelling.</p>				

Sevenoaks Town Council recommended approval subject to the Planning Officer being satisfied that this subsequent planning application is not an attempt to obtain consent for the previously refused scheme, and subject to the Planning Officer being satisfied that this application is an improvement upon the previously granted scheme.

Planning Applications Considered

Applications considered on 28-8-18

3	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/01878/FUL	Louise Cane 03-09-2018	Cllr Towell	Mr B Best 455029
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr R Best			4 Westwood Way	Northern
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				14/08/18
<p>Demolition of existing garage and outbuildings and rear chimney. Construction of a 2 storey side extension to form a 2 bedroom dwelling. Creating a new access.</p> <p>18/01878/FUL - Amended plan</p> <p>Amended plans have been submitted indicating the approved works on no.4 in relation to the proposed dwelling.</p> <p>18/01878/FUL - Amended plan</p> <p>The proposal description has been amended. The existing plans have also been amended to reflect the demolition of the existing garage, which has already taken place.</p> <p>Amended proposal description:</p> <p>Subdivision of plot and erection of a new dwelling.</p>				

Sevenoaks Town Council recommended approval subject to the Planning Officer being satisfied that this subsequent planning application is not an attempt to obtain consent for the previously refused scheme, and subject to the Planning Officer being satisfied that this application is an improvement upon the previously granted scheme.

4	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02113/CONVAR	Natalie Rowland 05-09-2018	Cllr Mrs Parry	Mr Adcock 01789 414202
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Motor Fuel Group		Shell Select	128 Seal Road	Northern
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				16/08/18
<p>Variation of condition 1 of 17/02189/FUL for 24 hours opening restricted to the shop and forecourt pumps with amendment to time restrictions to allow the petrol filling station to permanently operate 24 hours x 7 days a week.</p> <p>18/02113/CONVAR - Amended plan</p> <p>Proposal description amended:</p> <p>Variation of condition 1 and 3 of 17/02189/FUL for 24 hours opening restricted to the shop and forecourt pumps with amendment to time restrictions to allow the petrol filling station to permanently operate 24 hours x 7 days a week.</p>				

Sevenoaks Town Council recommended refusal but may be more sympathetic towards an application which sought consent for solely the fuel pumps to operate 24/7 rather than the shop facility and subject to a condition restricting the hours of all deliveries (both stock and fuel, and waste collection) to 7am - 7pm to protect the amenities of neighbouring properties.

Planning Applications Considered

Applications considered on 28-8-18

5	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02129/FUL	Holly Pockett 30-08-2018	Cllr Busvine	N/A
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr I White		Heaven	6 The Shambles	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				10/08/18
Change of use from a shop (A1) to D1.				

Sevenoaks Town Council recommended approval.

6	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02143/ADV	Alexis Stanyer 31-08-2018	Cllr Busvine	N/A
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mrs F Sinclair		Sevenoaks Bookshop	147 High Street	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				13/08/18
Hanging sign.				

Sevenoaks Town Council unanimously recommended approval.

7	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02372/HOUSE	Alexis Stanyer 29-08-2018	Cllr Clayton	N/A
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr S Copp			109 Seal Hollow Road	Eastern
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				09/08/18
Demolition of existing single storey rear extension, utility room to rear of garage and adjacent shed. Erection of single storey rear extension incorporating rooflights.				

Sevenoaks Town Council recommended approval, provided that the Planning Officer is satisfied that there is enough clearance to the high boundary hedge to avoid damaging the screening to No. 111 Seal Hollow Road.

8	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02423/FUL	Emma Gore 31-08-2018	Cllr Mrs Parry	Mr B Best 455029
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr I McLaughlin		Land North West Of	34 Oakdene Road	Northern
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				13/08/18
Erection of a 2 bed detached dwelling, including 2 no. parking spaces and formation of vehicular access.				

Sevenoaks Town Council recommended approval.

Planning Applications Considered

Applications considered on 28-8-18

9	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02456/FUL	Holly Pockett 31-08-2018	Cllr Busvine	N/A
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr P Clarke		The Former Mulberry Day Ther	Emily Jackson Close	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				13/08/18
Installation of 1.8m fence surrounding perimeter of garden area. This is to provide privacy and security for the garden area and is of similar height and design to existing fences in neighbouring properties.				

Sevenoaks Town Council recommended approval, subject to the Conservation Officer being satisfied that the fence will not be detrimental to the character of the local area.

10	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02494/HOUSE	Alexis Stanyer 29-08-2018	Cllr Arnold	Mr B Best 455029
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr M Ford		Garden House	Blackhall Lane	Wilderness
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				09/08/18
Single storey side extension.				

Sevenoaks Town Council recommended refusal, owing to insufficient information.

11	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02514/HOUSE	Emma Gore 29-08-2018	Cllr Parry	Mrs Austin 07866 962268
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
N Nomikos & K Nalba			1 Beacon Rise	Kippington
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				10/08/18
Construction of new side single storey utility room between garage and house. First floor extension to north. Roof alterations.				

Sevenoaks Town Council recommended approval.

Informative: Cllr Piper abstained from voting on this application.

12	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02545/HOUSE	Alexis Stanyer 05-09-2018	Cllr Canet	Mr D Burr 742200
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr McMenemy			15 Filmer Lane	Northern
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				16/08/18
To demolish the garage, carport, porch and conservatory and erect a single storey front extension, porch, two storey rear extension and replace the tile hanging with painted render to front elevation.				

Sevenoaks Town Council recommended approval.

Planning Applications Considered

Applications considered on 28-8-18

13	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02583/FUL	Natalie Rowland 05-09-2018	Cllr Chakowa	Mr D Dennis 240140
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr R Lippington		Unit 1, Wealden Place	Bradbourne Vale Road	St Johns
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				17/08/18
Commercial unit from replacement of windows and door to shutter door. (sic)				

Sevenoaks Town Council recommended approval.

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The Parish/Town Clerk

Direct Dial: 01732 227000, Option 3
Ask For: Mr M Holmes
Email: SouthParishComments@sevenoaks.gov.uk
My Ref: 17/03508/FUL
Your Ref: MR NATHAN ANTHONY
Date: 28 August 2018

Dear Sir/Madam

Town and Country Planning Act 1990

Site: 3 Webbs Court Buckhurst Lane Sevenoaks KENT TN13 1JN

Development: Change of use of business premises (B1) to residential (C3) and erection of a first floor extension to accommodate 1no. flat.

The current application on this site is due to be considered at the meeting of the Development Control Committee at the Council Chamber, Sevenoaks District Council Offices, Argyle Road, Sevenoaks, Kent, TN13 1HG on **6 September 2018** at 7.00 pm.

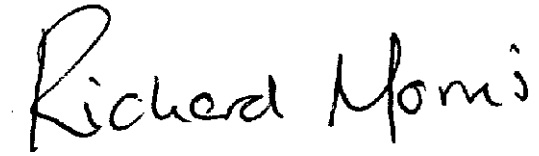
We operate a system of public speaking at meetings of the Committee. For advice on speaking on planning applications and further information about the Development Control Committee please view:
www.sevenoaks.gov.uk/developmentcontrolcommittee.

If a representative from the Parish/Town Council would like to speak on the application, please register your interest with our **Contact Centre on 01732 227000** (5 working days before the committee date), who can also answer any questions you may have regarding the public speaking procedure. You need to register your interest by 5pm on the day of the meeting at the latest. Only one person can be registered. However, in the case of deferred applications being reconsidered by the Committee, further representations will not normally be heard at the meeting.

Once you have registered to speak, if you wish to show any photographs or plans (no more than three), these must be submitted electronically to the Development Control Team By the end of the day BEFORE the meeting date (email: DC.Committee@sevenoaks.gov.uk). This deadline is to ensure sufficient time is available to prepare and check the presentation before the meeting. Material received after this time will be rejected. Any photomontages or other visualisations of the appearance of the development will only be accepted if they are accompanied by a statement showing how they have been created based on the application plans.

Copies of the committee agenda, including the report relevant to this application, will be available in reception on the night of the meeting. Alternatively a copy of the report can be obtained from the Democratic Services Team, 5 working days before the committee date, subject to normal planning copying charges. You can view and download a copy of the report 5 working days before the Committee Date, via our website, www.sevenoaks.gov.uk

Yours faithfully

A handwritten signature in black ink that reads "Richard Morris". The signature is written in a cursive, slightly slanted style.

Richard Morris
Chief Planning Officer



Sevenoaks District Council

Gambling Act 2005
Statement of Licensing Principles Gambling Policy
January 2019 - 2022

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1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005. The licensing objectives are:

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

Sevenoaks District Council as the Licensing Authority for the Sevenoaks District will aim to permit the use of premises for gambling as set out in section 153 of the Gambling Act 2005.

Principles to be applied - Section 153

(1) In exercising its functions a licensing authority will only permit the use of premises for gambling:

- a) in accordance with any relevant code of practice under section 24;
- b) in accordance with any relevant guidance issued by the Commission under section 25;
- c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b));
- d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

(2) In determining whether to grant a Premises Licence a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application.

(3) Any objection to an application for a Premises Licence or request for a review of an existing licence should be based on the licensing objectives of the Gambling Act 2005. It should be noted that, unlike the Licensing Act 2003, the Gambling Act 2005 does not include as a specific licensing objective of prevention of public nuisance. There is however other relevant legislation which deals with public nuisance.

2. Introduction

Sevenoaks District Council is situated in the County of Kent. Kent contains 12 Borough and District Councils with 1 Unitary Authority.

The Sevenoaks District Council area covers 142 square miles and has an estimated population of 110,000. The area is mainly rural with 3 main towns comprising Sevenoaks, Swanley and Edenbridge.

The Sevenoaks District Council Area



Licensing authorities are required by the Gambling Act 2005 to publish a Gambling Policy statement setting out the principles that they propose to apply when exercising their functions. This statement may be reviewed from time to time but must be republished at least every three years.

In determining its policy the Licensing Authority must have regard to Gambling Commission guidance and give appropriate weight to the views of those who respond to its consultation.

The Authority will consult widely on the Gambling Policy statement before being finalised and published.

The Gambling Act requires that the following parties be consulted by Licensing Authorities:

- the chief officer of police for the authority's area;
- one or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority's area;
- 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.

The persons consulted when preparing this Policy statement was deliberately wide. A list of those persons consulted is attached at appendix 4.

The consultation for the policy will take place between ~~19th June 2009-20th August 2018~~ and ~~31st August 2009~~ 14th October 2018. The Authority has followed the Revised Code of Practice (April 2004) and the Cabinet Office Guidance on consultations by the public sector.

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The full list of comments made and the consideration by the Authority of those will be available upon request to: The Licensing Team via email licensing@sevenoaks.gov.uk or by telephone 01732 227325.

The policy is published on Sevenoaks District Council's website www.sevenoaks.gov.uk.
~~Copies have been placed in the public libraries within the area and is available in the Council's principal offices.~~

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

3. Declaration

In producing the final licensing policy statement, this Licensing Authority declares that it will have had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the policy statement.

~~Appendices have been attached to this statement providing further information and guidance that is intended only to assist readers, and should not be interpreted as legal advice or as part 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, the Guidance, or regulations issued under the Act.~~

4. Casinos

Proposal for a casino - This Licensing Authority did submit a proposal to the Independent Casinos Advisory Panel within the Sevenoaks District Council area. However, it was not successful.

No Casinos resolution - This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, and is aware that it has the power to do so. Should this Licensing Authority decide to pass such a resolution, it will update this policy statement with details of that resolution.

5. Functions

Function	Who deals with it
Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences	Licensing Authority
Issue Provisional Statements	Licensing Authority
Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits	Licensing Authority
Issue Club Machine Permits to Commercial Clubs	Licensing Authority
Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres	Licensing Authority
Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines	Licensing Authority
Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines	Licensing Authority
Register small society lotteries below prescribed thresholds	Licensing Authority
Issue Prize Gaming Permits	Licensing Authority
Receive and endorse Temporary Use Notices	Licensing Authority
Receive Occasional Use Notices	Licensing Authority
Provide information to the Gambling Commission regarding details of licences issued (see section 8 on 'information exchange')	Licensing Authority
Maintain registers of the permits and licences that are issued under these functions	Licensing Authority

Gambling Commission Functions

Function	Who deals with it
Issue and renewal of Operating Licences	Gambling Commission
Review Operating Licences	Gambling Commission
Issue Personal Licences	Gambling Commission

Issue Codes of Practice	Gambling Commission
Issue Guidance to Licensing Authorities	Gambling Commission
Licence remote gambling through Operating Licences	Gambling Commission
Issue licences in relation to the manufacture, supply, installation, adaptation, maintenance or repair of gaming machines	Gambling Commission
Deal with appeals against Commission decisions	Gambling Appeals Tribunal

The Licensing Authority is not involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences.

Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

6. Operators

Gambling businesses are required to have an operator licence issued by the Gambling Commission before they can operate in Great Britain. Operator licences can be issued for up to ten different types of gambling activity and a separate licence is needed for both remote and non-remote gambling of the same types.

An operator licence gives a general authorisation for a business to provide gambling facilities, but a business wishing to provide non-remote gambling facilities in a Licensing Authority area is required to apply for a premises licence that is specific to the particular premises.

Operators are required to comply with conditions attached to both their operator and individual premises licences. They are also required to adhere to the mandatory provisions in the Gambling Commission's Social Responsibility Code of Practice and take account of the provisions in the Ordinary Code of Practice (although these are not mandatory).

The Licence Conditions and Codes of Practice (LCCP) were updated in April 2015, and have introduced significant new responsibilities for operators in relation to their local premises. With effect from April 2016, all non-remote licensees that run gambling premises will be required to assess the local risks to the licensing objectives arising from each of their premises and have policies, procedures and control measures to mitigate them.

Licensees are required to take into account the Licensing Authority's statement of principles in developing their risk assessments.

7. Risk Assessments

Gambling operators are required to undertake a risk assessment for all their existing premises from 6th April 2016. In undertaking their risk assessments, they must take into account relevant matters identified in the Licensing Authority's Statement of Policy. The Licensing Authority expects applicants for Premises Licences in its area to submit a risk assessment with their application when applying for a new or variation to a premises licence or when changes in the local environment or the premises warrant a risk assessment to be conducted again.

The risk assessment should demonstrate the applicant has considered, as a minimum:

- local crime statistics;

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- any problems in the area relating to gambling establishments such as anti-social behaviour or criminal damage;
- the location of any nearby sensitive premises, such as hostels and other facilities used by vulnerable persons e.g. drug and alcohol addictions;
- whether there is a prevalence of street drinking in the area, which may increase the risk of vulnerable persons using the premises;
- the type of gambling product or facility offered;
- the layout of the premises;
- the external presentation of the premises;
- the location of nearby transport links and whether these are likely to be used by children or vulnerable persons;
- the customer profile of the premises;
- staffing levels;
- staff training, knowledge and experience;
- whether there is any indication of problems with young persons attempting to access adult gambling facilities in that type of gambling premises in the area.

The licensing Authority expects a copy of the risk assessment to be held at each premises so that it can be inspected by officials and staff alike.

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Responsible Authorities

In exercising this licensing authority's powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm, the following principles have been applied:

- 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.

In accordance with the Gambling Commission's Guidance for local authorities this authority designates the following for this purpose:

Children's and Families - KCC Social Service

The contact details of all the Responsible Bodies under the Gambling Act 2005 are listed at Appendix 3.

78. Interested parties

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

Section 158 of the Gambling Act 2005 says a person is an interested party if he/she;

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

An interested party can make representations about licence applications or apply for a review of an existing licence.

Each application will be decided upon its merits. This Authority will not apply rigid rules to its decision-making. However, it will consider the following (Gambling Commission's Guidance to local authorities (paragraphs 6.24 and 6.25))

The Gambling Commission has emphasised that 'demand' cannot be a factor in determining applications.

Gambling Commission's Guidance states that moral objections to gambling are not a valid reason to reject applications for premises licences, as such objections do not relate to the licensing objectives (Guidance to Licensing Authorities Para 5.27). All objections must be based on the licensing objectives.

The Gambling Commission has recommended that the licensing authority state within its Gambling Policy Statement that interested parties may include trade associations, trade unions, and residents and tenants' associations (paragraph 6.25). However, this Authority will not generally view these bodies as interested parties unless they have a member who can be classed as such under the terms of the Gambling Act 2005. (i.e. lives sufficiently close to the premises and is likely to be affected by the application.)

Interested parties can be persons who are democratically elected, such as Councillors and MP's. No evidence of being asked to represent an interested person will be required provided the Councillor/MP represents the relevant ward. Likewise, parish councils may be considered to be interested parties. Apart from these exceptions this Authority will require written evidence that a person/body/advocate/relative) represents someone likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter of authorisation from one of these persons, requesting the representative to speak on their behalf will be sufficient.

Councillors who are on the Licensing Committee dealing with the licence application will not be able to make representations. If there are any doubts then please contact Mrs Claire

Perry Assistant Licensing Manager via email at licensing@sevenoaks.gov.uk or by telephone 01732 227325.

89. Exchange of Information

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

The principle that this Licensing Authority will apply is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information and the provision that the Data Protection Act 1998 ([DPA](#)) or the [General Data Protection Regulations \(GDPR\)](#) will not be contravened. The Licensing Authority will have regard to any Guidance issued by the Gambling Commission on this matter as well as any regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

~~Any protocols established as regards information exchange with other bodies will be made available.~~

We recognise the need to share information with other agencies about our inspections and compliance activities. The Council has various policies relating to General Data Protection Regulations (GDPR), which will be considered when deciding what information to share and the process for doing so. Kent & Medway Information Sharing Agreement. The Council is also a signatory to the Kent & Medway Information Sharing Agreement, which allows the sharing of information between Agencies for the purpose of the preventions and detection of crime and for public protection.

Information can be accessed by data subjects via a number of routes including a Freedom of Information Request or a Subject Access Request.

109. Enforcement

This Licensing Authority will act in accordance with the relevant legislation and guidance from the Gambling Commission and adopt the principles of better regulation set out in the Regulators Compliance Code.

The purpose of this Licensing Authority's enforcement protocol is to facilitate co-operation and co-ordination between enforcement agencies in pursuance of both the Gambling Act 2005 and the Licensing Act 2003. A copy can be requested from Mrs. Claire Perry Assistant Licensing Manager via email at licensing@sevenoaks.gov.uk or by telephone 01732 227325.

In accordance with the Gambling Commission's Guidance for local authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as is possible.

This Licensing Authority, as recommended by the Gambling Commission's Guidance, has adopted a risk-based inspection programme.

Licensing authorities are required by regulation under the Gambling Act 2005, to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This Licensing Authority's principles are that:

It will adopt the guidance for local authorities and it will endeavour to be:

- Proportionate:
 - regulators should only intervene when necessary;
 - remedies should be appropriate to the risk posed, and
 - costs identified and minimised.
- Accountable:
 - regulators must be able to justify decisions, and
 - be subject to public scrutiny.
- Consistent:
 - rules and standards must be joined up and implemented fairly;
- Transparent:
 - regulators should be open, and keep regulations simple and user friendly; and
- Targeted:
 - regulation should be focused on the problem, and minimise side effects.

New premises, premises under new management, premises where complaints have been received or intelligence received relevant to the licensing objectives and premises or operators where compliance failings have been identified previously will attract a higher risk rating. Premises located in areas where there have been incidents of crime affecting or relating to gambling premises, or where the premises themselves have been the victims or involved in such crime, shall also attract a higher risk rating. The Council will conduct baselining assessments to assess initial risk ratings for gambling premises in its borough.

The Licensing Authority operates a partnership approach to dealing with enforcement matters concerning licensed premises. This may include working with the Police or any of the other responsible authorities under the Act, or working with colleagues from other Council departments or outside agencies.

The Licensing Authority needs to be satisfied premises are being run in accordance with the provisions of the Act, the licensing objectives, the Licence Conditions and Codes of Practice issued by the Gambling Commission and any conditions attached to the Premises Licence. To achieve this, the Licensing Authority will inspect premises, look at gambling facilities, gaming machines and policies and procedures, meet with licence holders and carry out general monitoring of areas as necessary.

Inspection and enforcement under the Act will be based on the principles of risk assessment, a graduated response and the targeting of problem premises. The frequency of inspections will be determined on risk-based criteria with high risk operations receiving more attention than premises carrying lower risk.

Premises found to be fully compliant will attract a lower risk rating. Those where breaches are detected will attract a higher risk rating.

The Licensing Authority will take appropriate enforcement action against those responsible for unlicensed premises/activity. Action will be carried out in accordance with the Enforcement Policy.

The main enforcement and compliance role for this Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises.

The Gambling Commission will be the enforcement body for Operating and Personal Licences.

Concerns relating to manufacture, supply or repair of gaming machines, or concerns relating to on-line or remote gambling is part of the Commissions role.

11. Gambling Prevalence and Problem Gambling

Participation in gambling and rates of problem gambling published in April 2018 on the Gambling Commission website by NHS Digital showed that:

56% of people in England gambled in 2016

42% of people in England (excluding those who had only played National Lottery draws) gambled in 2016

0.7% of people in England identified as problem gamblers

1.2% of gamblers in England identified as problem gamblers

3.6% of people in England were at low or moderate risk of developing problems with their gambling

6.6% of gamblers in England are at low or moderate risk of developing problems with their gambling

Problem gambling can have a detrimental effect on personal finances as the attempt to chase losses becomes unmanageable. As well as spending wages, savings and spare cash, debts can also be a feature of problem gambling as a result of borrowings and loans to cover gambling loses. However, the effects of problem gambling can cost more than money.

Problem gamblers often say they feel isolated as a result of their solitary pursuits of chasing losses. There is a tendency to stay away from school, college or work in order to gamble. In addition, there is often a preoccupation with gambling, a lack of interest in maintaining relationships and a lack of motivation to engage in social activities.

There is often reluctance amongst gamblers to spend money on items of clothing or household goods as this expenditure is often seen as funds for gambling. There can also be an unwillingness to pay utility bills as money would rather be used for gambling purposes.

Problem gambling can be progressive in nature and problem gamblers can end up engaging in criminal activity to fund their gambling. This can lead to lifelong consequences with criminal convictions

<http://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Levels-of-participation-and-problem-gambling/Levels-of-problem-gambling-in-England.aspx>

http://www.gamcare.org.uk/sites/default/files/file_attach/GamCare%20Annual%20Statistics%202016-17%20FINAL.pdf

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Appendix 1

Factors to be taken into account when considering applications for premises licences, permits and other permissions including matters that will be considered when determining whether to review a licence.

1. Permits

(i) Unlicensed Family Entertainment Centre (FEC) gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

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 show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

Sevenoaks District Council has considered and intends to require applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have full understanding of the maximum stakes and prizes.

It should be noted that a licensing authority cannot attach conditions to this type of permit and that the "statement of principles" only applies to initial applications and not to renewals (paragraph 18(4)).

For initial applications, the licensing authority need not (but may) have regard to the licensing objectives but shall need to have regard to any Gambling Commission guidance.

The Gambling Commission's Guidance for local authorities states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities may want to give weight to child protection issues.

The Gambling Commission's Guidance also states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application.

Statement of Principles: This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.

With regard to renewals of these permits, a licensing 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 pursuit of the licensing objectives.

(ii) (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act 2005 (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- the premises are mainly used for gaming; or
- an offence under the Gambling Act 2005 has been committed on the premises.

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "*such matters as they think relevant.*" This licensing authority considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which will satisfy this authority that there will be no access may include the adult machines being in sight of the bar or in the sight of staff that will monitor that the machines are not being used by those under 18 years old. Notices and signage may also help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

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

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

(iii) Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))

Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, Sevenoaks District Council will want to give weight to child protection issues and will ask the applicant to set out the types of gaming that he or she is intending to offer. The applicant will be expected 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.

- What staff should do if they suspect that truant children are on the premises;
- How staff should deal with unsupervised young children on the premises;
- How staff should deal with children causing perceived problems on or around the premises;
- Safeguarding awareness training; and
- An enhanced criminal record check for staff or equivalent criminal records check for the applicant and also the person who has the day to day control of the premises;

The applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law.

In making its decision on an application for this permit the licensing authority need not (but may) have regard to the licensing objectives and shall have regard to any Gambling Commission guidance.

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

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

(iv) Club Gaming and Club Machines Permits

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D), equal

chance gaming and games of chance as set-out in regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D).

The Gambling Commission's Guidance for local authorities states: "Members Clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, it must be permanent in nature, not established to make a commercial profit and must be controlled by its members equally unless the gaming is permitted by separate regulations. The Secretary of State has made such regulations and these cover bridge and whist clubs. A Members' Club must be permanent in nature and established and conducted for the benefit of its members and not a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations." (25.5)

The Licensing Authority is aware that it may only refuse an application on the grounds that:

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

The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- Is the primary activity of the club something other than gaming?
- Are the club's profits retained solely for the benefit of the club's members?
- Are there 25 or more members?
- Are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
- Do members participate in the activities of the club via the internet?
- Do guest arrangements link each guest to a member?
- Is the 48 hour rule being applied for membership and being granted admission being adhered to?
- Are there annual club accounts available for more than one year?
- How is the club advertised and listed in directories and on the internet?
- Are children permitted in the club?
- Does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- Is there a list of Committee members and evidence of their election by the club members?

When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limits

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

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

There are statutory conditions on club gaming permits that no child uses a category B3A, B4 or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

Appendix 2

2. Premises Licences

(i) Decision making - general:

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 detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

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

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

Any conditions attached to licences by the Licensing Authority 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
- are reasonable in all other respects.

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

This 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 a non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance [and licence conditions and codes of practice](#).

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 located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;

- only adults are admitted to the area where these 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 less than 18 years of age.

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

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

There are also conditions which the licensing authority cannot attach to premises licences which are:

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

(ii) "Premises":

Premises 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 and as the Guidance for local authorities' states, it "will always be a question of fact in the circumstances". 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.

Sevenoaks District Council will have regard to the Gambling Commission's guidance on the division of premises and access between premises.

This licensing authority takes particular note of the Guidance for local authorities which states that in considering applications for multiple licences for a building ([split premises](#)) or those for a specific part of the building to be licensed, licensing authorities should be aware that:

- the third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling but also that they are not permitted to be in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating; and
- entrances and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

It should also be noted that an 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. This authority agrees with the Gambling Commission that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a 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.

(iii) Location:

This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. 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 showing how potential concerns can be overcome.

(iv) Planning:

Planning and licensing are different regulatory systems and will be dealt with separately. The Gambling Commission's Guidance states: "When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control, building and other regulations and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the

proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.”

(v) Duplication:

As stated in section nine on Enforcement, as per the Gambling Commission's Guidance for local authorities this licensing authority will seek to avoid duplication with other regulatory regimes so far as possible.

(vi) Door Supervisors:

The Gambling Commission's Guidance advises local authorities that licensing authorities may require persons operating premises in which gambling takes place to take measures such as the supervision of entrances; segregation of gambling from non-gambling areas frequented by children (assuming such non-gambling areas are compatible with requirements of the Act); and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

Any person employed to fulfil a condition on a premises licence that requires door supervision should hold a relevant licence issued by the Security Industry Authority (SIA).

It is to be noted that door supervisors at licensed casino or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where an authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act.

This licensing authority therefore has specific requirements for door supervisors working at casinos or bingo premises, where there are multiple licensable activities and/or the Police Licensing Officer has concerns about the licensing objectives being undermined.

Where the premises is licensed under the Licensing Act 2003 door supervisors will be required to hold a relevant licence issued by the Security Industry Authority (SIA).

(vii) Split Premises

The Gambling Commission's Guidance states that a building can, in principle, be divided into more than one premises and 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 reasonably be regarded as being different premises. An example is given of units within a shopping mall, where each unit is separate self-contained premises contained within one building. It is also possible for licensed premises to be located next to each other.

The Gambling Commission state they do 'not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises'.

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Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a licence for a building which has been divided, the Licensing Authority will need to be satisfied the premises are genuinely separate premises, and not an artificially created additional part of single premises.

In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:

- whether there are separate registrations for business rates in place for each premises;
- whether separate sets of staff work in the individual premises;
- whether there is a separate cash desk/reception for each of the premises;
- whether each premises has its own postal address;
- whether the premises are owned or operated by the same person;
- whether each of the premises can be accessed from a street or public passageway;
- whether the premises can only be accessed from any other gambling premises.

When considering proposals to divide a building into separate premises, the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.

The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another.

It may be acceptable for staff working in adjacent premises to have access through barriers between premises. The applicant must demonstrate that in providing staff access there are suitable control measures in place that will ensure the safety and security of staff and will prevent the public from using the same access point to enter the other premises.

The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions relating to access between premises.

The Guidance at paragraph 7.22 states “There is no definition of ‘direct access’ in the Act or Regulations, but Licensing Authorities may consider that there should be an area separating the premises concerned (for example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access.”

It is the Licensing Authority’s opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.

The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or cashpoint machines.

Where the Licensing Authority is satisfied that a building can be divided into separate premises it will expect applicants to ensure that:

- the premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part;
- the premises are not configured so children are likely to enter an adult only area to join a parent gambling in that adult only area,
- entrances and exits from parts of a building covered by one or more Premises Licences are separate and identifiable so the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit;
- customers should be able to participate in the activity named on the Premises Licence.

This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

(viii) Access to Premises

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The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out access provisions for each type of licensed gambling premises. The broad principle is there can be no direct access from one licensed gambling premises to another, except between premises which allow those aged under-18 to enter and with the further exception that licensed betting premises may be accessed via other licensed betting premises.

'Direct access' is not defined, but the Licensing Authority will consider there should be an area such as a street or café to which the public attend for purposes other than gambling for there to be no direct access.

<u>Type of Premises</u>	<u>Access Provisions</u>
<u>Casino</u>	<ul style="list-style-type: none"> • <u>The principal access to the premises must be from a 'street';</u> • <u>No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons;</u> • <u>No customer must be able to access a casino directly from any other premises which holds a gambling premises licence.</u>
<u>Adult Gaming Centre</u>	<ul style="list-style-type: none"> • <u>No customer must be able to access the premises directly from any other licensed gambling premises.</u>
<u>Betting Shop</u>	<ul style="list-style-type: none"> • <u>Access must be from a 'street' or from other premises with a betting licence;</u> • <u>No direct access is permitted from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be any entrance to a betting shop from a shop of any kind unless that shop is in itself a licensed betting premises.</u>
<u>Track</u>	<ul style="list-style-type: none"> • <u>No customer must be able to access the premises directly from a casino or Adult</u>

	Gaming Centre.
Bingo Premises	<ul style="list-style-type: none"> • <u>No customer must be able to access the premises directly from a casino, an Adult Gaming Centre or a betting premises, other than a track.</u>
Family Entertainment Centre	<ul style="list-style-type: none"> • <u>No customer must be able to access the premises directly from a casino, an Adult Gaming Centre or a betting premises, other than a track.</u>

(vixi) Licensing objectives:

This licensing authority has considered the Gambling Commission’s Guidance to local authorities in respect of the licensing objectives.

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

Ensuring that gambling is conducted in a fair and open way:

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

(xviii) Reviews:

Interested parties or responsible authorities can make requests for a review of a premises licence; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the following matters:

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

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

The licensing authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate.

(ixi) Provisional Statements:

This licensing authority notes the Gambling Commission’s Guidance for the Gambling Commission which states that:

- “It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence.” and that
- “Requiring the building to be complete ensures that the authority can inspect it fully”.

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 taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which is in the authority’s opinion reflect a change in the operator’s circumstances.

(xii) Adult Gaming Centres (AGC):

This licensing authority particularly notes the Gambling Commission’s Guidance which states: “No-one under the age of 18 years of age is permitted to enter an AGC. Licensing authorities will wish to have particular regard to the location of an entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised and an AGC is in a complex, such as a shopping centre or airport.”

Because gaming machines provides opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority in considering Premises Licences for AGC’s will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds are not attracted to, or gain access to, the premises.

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

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes

- Provision of information leaflets/helpline numbers for organisations such as GamCare

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

(xii) (Licensed) Family Entertainment Centres (FECs):

Family Entertainment Centres are wholly or mainly used for having gaming machines available for use.

This licensing authority will, as per the Gambling Commission's Guidance refer to the Commission's website to see any conditions that apply to operator 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.

As gaming machines are a form of gambling which is attractive to children and licensed FEC's will contain both Category D machines on which they are allowed to play, and Category C machines on which they are not. Since gaming machines provide opportunities for solitary play and for immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, in considering applications for FEC Premises Licences, 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.

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

- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare
- Measures/training for staff on how to deal with suspected truant school children on the premises

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

(xvi) Tracks:

This licensing authority is aware that the Gambling Commission may provide specific guidance as regards tracks. We shall have regard to this Guidance in the discharge of our functions.

(xvii) Casinos:

This Licensing Authority will have regard to the Gambling Commission's guidance.

(xviii) Bingo:

This Licensing Authority will have regard to the Gambling Commission's guidance.

The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over. Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.

(xix) Temporary Use Notices:

There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the licensing authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building/site (see Gambling Commission's Guidance for Local Authorities).

(xx) Occasional Use Notices:

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

(xxi) Small Society Lotteries

The Council will adopt a risk-based approach towards our compliance responsibilities for small society lotteries. We consider the following list, although not exclusive, could affect the risk status of the operator:

- Submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)

- Submission of incomplete or incorrect returns
- Breaches of the limits for small society lotteries

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

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

Charities and community groups should contact us on 01892 550 034 or email licensing@tunbridgewells.gov.uk to seek further clarification.

(xx) Travelling Fairs:

It will fall to this licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

(i) (xix) Betting Premises

This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop.

The Licensing Authority must be satisfied that the primary use of the premises is to operate as betting premises. The applicant will be expected to demonstrate they are offering sufficient facilities for betting or otherwise should not make gaming machines available on the premises.

In determining applications for betting premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV

- entry control system
- staff numbers
- staff training
- counter layout
- supervision of entrances/ machine areas
- machine privacy screens
- notices/ signage
- opening hours
- provision of responsible gambling information

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

Betting machines made available at betting premises that accept bets on live events such as horse racing (SSBT's or self-service betting terminals) are not gaming machines and therefore do not count towards the total number of gaming machines that may be permitted at betting premises. However, where a machine is made available to take bets on 'virtual' races (e.g. results/images generated by a computer to resemble a real race or event), that IS a gaming machine and counts towards the maximum permitted number of gaming machines, and is subject to the relevant statutory limits on stakes and prizes.

Section 181 of the Gambling Act 2005 permits the Licensing Authority to restrict the number of SSBT's, their nature and the circumstances in which they may be made available by attaching a relevant condition to a Premises Licence for a betting office. When considering whether to do so, the Licensing Authority will consider, among other things, the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

The Licensing Authority when considering the number, nature and circumstances of self-service betting terminals an operator wants to offer will 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.

Where an SSBT includes functionality to be marketed or presented in languages other than English, the Licensing Authority will seek to ensure the operator has considered the ordinary code provision set by the Gambling Commission about making the following information also available in the relevant languages:

- information on how to gamble responsibly and access the help referred to in the Gambling Commission's Licence Conditions and Codes of Practice;
- the player's guide to any game, bet or lottery under the provisions of the Gambling Commission's Licence Conditions and Codes of Practice;
- the summary of the contractual terms on which gambling is offered, which is a condition of the licence holder's Operating Licence issued by the Gambling Commission.

Help with gambling related problems:

A list of organisations where people may seek help will be available on the licensing website.

Appendix 3

Responsible Authorities:

Further information about the Gambling Act 2005 and the Council's licensing policy can be obtained from:

Licensing Team

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 227325

Fax: 01732 742339

e-mail: licensing@sevenoaks.gov.uk

[Website: www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

Local Planning Authority

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 227200

Fax: 01732 451332

Chief Police Officer - (West Kent Police)

Kent County Constabulary
West Kent Area Commander
Police Station
1 Pembury Road
Tonbridge
Kent TN9 2HS

Tel: 01732 771055

Fire Safety - District Manager

Keith Burns
Kent Fire & Rescue Service
West Kent Fire Safety Office
424 Vale Road
Tonbridge
Kent TN9 1SW

Information can also be obtained from:

Gambling Commission

Victoria Square House
Victoria Square
Birmingham B2 4BP

Tel: 0121 230 6666

Fax 0121 230 6720

e-mail: info@gamblingcommission.gov.uk

Website:

www.gamblingcommission.gov.uk

Environmental Protection

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 2272000

Fax: 01732 742339

e-mail:

environmentalprotection@sevenoaks.gov.uk

Health and Safety

Sevenoaks District Council
Council Offices
PO Box 182
Argyle Road
Sevenoaks
Kent TN13 1GP

Tel: 01732 227000

Fax: 01732 742339

Kent Child Protection Committee

Children's and Families
KCC Social Service
The Willows
Hilda May Avenue
Swanley

Tel: 01732 369429

Kent BR8 7BT

Website: www.kcpc.org.uk

HM Revenue & Customs

National Registration Unit

Portcullis House

21 India Street

Glasgow

G4 2PZ

HM Revenue and Customs

Excise Processing Teams

Gambling Duties

BX9 1GL

Tel: 0845 302 1431

Website: www.hmrc.gov.uk

Appendix 4

List detailing who this authority consulted with:

List of Consultees

Sevenoaks District Council website

District Councillors

Councillor's Members Room

Parish and Town Councils

Licensees/their agents of gambling premises

- Neighbouring Authorities
- Bodies designated under section 157 of the Act as 'Responsible Authorities'
- Town Centre Forums, Partnerships and Managers
- Person/ bodies representative of local residents
- Person/ bodies representative of gambling businesses
- Representatives of persons or business who hold premises licences
- Organisations working with people who are problem gamblers
- Representatives of health care organisations
- Representatives of voluntary and community organisations working with children and young people

Swanley Library

Sevenoaks Library

Edenbridge Library

Westerham Public Library

Otford Public Library

West Kingsdown Library

Hartley Public Library

Seal Public Library

New Ash Green Public Library

Kemsing Public Library

St. John's Public Library, Sevenoaks

Riverhead Public Library

West Kent Area Commander, West Kent Police

North Kent Area Commander, North Kent Police

Area Youth & Community Officer, KCC Youth & Community,

Local Services Team Leader, KCC Education & Libraries

Chief Executive, West Kent Housing Association,

Regional Housing Manager, MOAT Housing Society

Locality Manager, South West Kent Primary Care Trust

Director of Public Health, Dartford, Gravesham and Swanley Primary Care Trust

Licensing Co-ordinator, Kent Police, Strategic Crime Reduction Department

Director, West Kent Council of Voluntary Services

Tunbridge Wells and Sevenoaks YOT, Kent Youth Offending Team
Berwin Leighton Paisner Solicitors
Hammonds Solicitors
Knocker & Foskett Solicitors
Copy in reception
Sevenoaks and District Chamber of Commerce
Licensed premises in the Sevenoaks Area
Swanley Chamber of Commerce
Edenbridge Chamber of Commerce
Licensing Manager, Tonbridge & Malling Borough Council
Head of Environmental Health and Licensing, Tunbridge Wells Borough Council
Environmental Health Manager, Gravesham Borough Council

List detailing who this authority consulted with

Appendix 4

Enforcement and Regulatory Services Manager, Dartford Borough Council
Licensing Manager, Tandridge District Council
Bromley Licensing Manager, London Borough of Bromley
Head of Environmental Health, London Borough of Bexley
Safety & Licensing Team, Mid-Sussex District Council
The Gambling Commission
West Kent Licensing Officer
Planning Department
Fire Safety District Manager, Kent Fire & Rescue Service
Community and Planning Services Director, Sevenoaks District Council
Environmental Health Manager, Sevenoaks District Council
Ladbrokes Betting & Gaming Limited
Enterprise Inns Plc
JD Wetherspoon Plc
Sencio Community Leisure
Respondents to the last Gambling Policy Statement
The British Beer & Pub Association
Association of British Bookmakers
Head of Community Development Manager, Sevenoaks District Council
District Manager, Children & Families, KCC Social Services
Kent County Council, Trading Standards
Gambling Policy Team, HM Customs & Excise
Corals, Sevenoaks, Westerham, Swanley & Edenbridge
Done Brothers T/A Betfred
Coral Racing Limited, Head Office
Betfred, Sevenoaks and Swanley
Greene King Brewing and Retailing Ltd.
Head of Operational and Environmental Services
Community and Planning Services Director
Harvey & Son (Lewes) Ltd.
Mitchells & Butlers plc
Barracuda Pubs & Bars Company Ltd
Punch Taverns
Shepherd Neame Ltd.

This list is not definitive. Residents associations will be sent copies on request.

Appendix 5

Summary of machine provisions by premises

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 casino (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						
Bingo premises				Maximum of 8 machines in category B3 or B4			No limit on category C or D machines	
Adult gaming centre				Maximum of 4 machines in category 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 (with permit)								No limit on category D machines
Clubs or miners' welfare institute (with permits)				Maximum of 3 machines in categories B3A or B4 to D*				
Qualifying alcohol-licensed premises							1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)							Number of category C D machines as specified on permit	
Travelling fair								No limit on category D machines

	A	B1	B2	B3	B3A	B4	C	D
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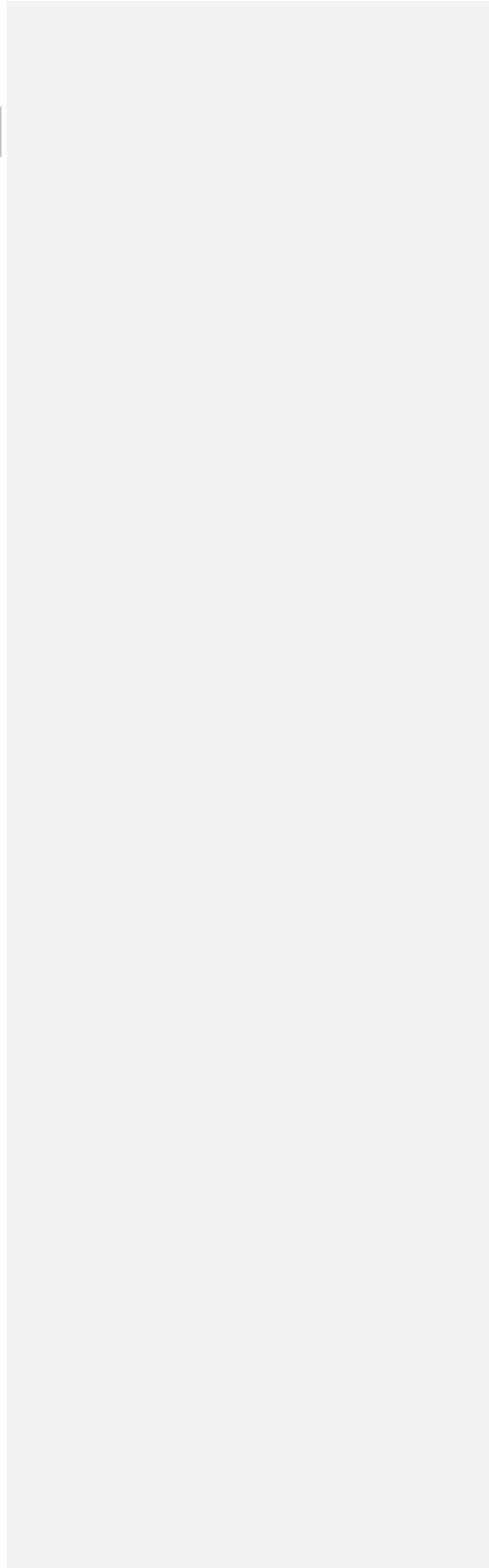
It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

Appendix 6

Summary of licensing authority delegations permitted under the Gambling Act 2005

Matter to be dealt with	Full Council	Sub-Committee of licensing committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting (where appropriate)			X
Application for Premises licences		Where representations have been received and not withdrawn	Where representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where representations received/ representations have been withdrawn
Application for a transfer for a licence		Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter		X	

notice to a temporary use
notice



Appendix 7

Summary of Maximum stake and Maximum prize by category of gaming machine.

Category of machine	Maximum stake	Maximum prize
A	Unlimited	Unlimited
B1	£2	£4,000
B2	£100	£500
B3	£1	£500
B4	£1	£250
C	£1	£70
D (Money-prize machine)	10p	£5 cash
D (Crane Grab Machines)	£1	£50
D (Non-money prize machine (other than Crane Grab Machine))	30p when non-monetary prize	£8 non-monetary prize
D (For coin pushers and penny fall machines)	10p	£15 (£8 maximum in cash)

Planning Applications Considered

Applications considered on 23-8-18

1	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/01794/FUL	Mr M Mirams 28-08-2018	Cllr Schneider	Mr R Sonnex 455066
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr G Wilson			48 High Street	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				08/08/18
Conversion of cellar to habitable accommodation and conversion of barn to two storey residential unit.				

//Chairman's Action//

Sevenoaks Town Council recommended approval, subject to traditional sympathetic materials being used and the Conservation Officer being satisfied.

2	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/01795/LBCALT	Mr M Mirams 28-08-2018	Cllr Schneider	Mr R Sonnex 455066
<i>Applicant</i>		<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mr G Wilson			48 High Street	Town
<i>Town</i>		<i>County</i>	<i>Post Code</i>	<i>Application date</i>
				08/08/18
Conversion of cellar to habitable accommodation and conversion of barn to two storey residential unit.				

//Chairman's Action//

Sevenoaks Town Council recommended approval, subject to traditional sympathetic materials being used and the Conservation Officer being satisfied.

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Planning Applications to be Considered

Planning Applications received to be considered on 10 September 2018

1	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02379/CONVAR	Sean Mitchell 12-09-2018	Cllr Hogarth	Mr Wise 07901 667735
<i>Case Officer</i>				
<i>Applicant</i>				
<i>House Name</i>		<i>Road</i>		<i>Locality</i>
Mr Tremaine		148-152 St Johns Hill		St Johns
<i>Town</i>		<i>County</i>		<i>Post Code</i>
				<i>Application date</i>
				23/08/18
Variation of condition nos. 11 & 13 of 17/01706/OUT (Outline application for proposed construction of a new building on car sales site, to provide a new single shop unit with 6 No. residential apartments and associated alterations to the fenestration of No. 154 with some matters reserved) to show amendment to the windows of the side elevation of 154 St Johns Road.				
<i>Web link</i>				

2	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02515/HOUSE	Alexis Stanyer 12-09-2018	Cllr Eyre	Mrs Austin 07866962268
<i>Case Officer</i>				
<i>Applicant</i>				
<i>House Name</i>		<i>Road</i>		<i>Locality</i>
Mr & Mrs Van der Merwe		30 White Hart Wood		Kippington
<i>Town</i>		<i>County</i>		<i>Post Code</i>
				<i>Application date</i>
				23/08/18
Demolition of existing garage, conservatory, and a portion of the ground and first floor. New two-storey rear and side extension, loft accommodation and alteration to fenestration. Erection of a new garage.				
<i>Web link</i>				

3	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02522/HOUSE	Emma Gore 10-09-2018	Cllr Parson	Mr D Burr 742200
<i>Case Officer</i>				
<i>Applicant</i>				
<i>House Name</i>		<i>Road</i>		<i>Locality</i>
Mr D Humphries		9 Knole Way		Town
<i>Town</i>		<i>County</i>		<i>Post Code</i>
				<i>Application date</i>
				22/08/18
Single storey rear extension with rooflights. Landscaping works to include new retaining walls and reduce ground levels to the rear.				
<i>Web link</i>				

4	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02566/ADV	Natalie Rowland 11-09-2018	Cllr Busvine	Mr Jarvis 01618 300600
<i>Case Officer</i>				
<i>Applicant</i>				
<i>House Name</i>		<i>Road</i>		<i>Locality</i>
Mr Jarvis		A And J Kitchen Designs		Town
<i>Town</i>		<i>County</i>		<i>Post Code</i>
				<i>Application date</i>
				23/08/18
Non-illuminated shop front Fascia and non-illuminated Hanging Sign.				
<i>Web link</i>				

Planning Applications to be Considered

Planning Applications received to be considered on 10 September 2018

5	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02581/HOUSE	Emma Gore 14-09-2018	Cllr Piper	Mr R Reid 741417
<i>Case Officer</i>				
<i>Applicant</i>				
<i>House Name</i>		<i>Road</i>		<i>Locality</i>
Ms Redgate		Loxwood		Grassy Lane
<i>Town</i>		<i>County</i>		<i>Post Code</i>
				Application date
				28/08/18
Conversion and extensions to the existing house and garage, together with landscape works to include location of an open air swimming pool.				
<i>Web link</i>				

6	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02584/HOUSE	Holly Pockett 20-09-2018	Cllr Clayton	N/A
<i>Case Officer</i>				
<i>Applicant</i>				
<i>House Name</i>		<i>Road</i>		<i>Locality</i>
Mr S Tomkins		1 Pinewood Avenue		Eastern
<i>Town</i>		<i>County</i>		<i>Post Code</i>
				Application date
				31/08/18
Side extension set back from original dwelling, single storey side aspect with skylights removed entirely, lowered and pitched extension roof-line to the principal elevation and reduction in width of two storey rear extension.				
18/02584/HOUSE - Amended plan				
The proposal has been amended for clarification:				
Part single/part two storey side and rear extensions.				
<i>Web link</i>				

7	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02584/HOUSE	Holly Pockett 18-09-2018	Cllr Clayton	N/A
<i>Case Officer</i>				
<i>Applicant</i>				
<i>House Name</i>		<i>Road</i>		<i>Locality</i>
Mr S Tomkins		1 Pinewood Avenue		Eastern
<i>Town</i>		<i>County</i>		<i>Post Code</i>
				Application date
				29/08/18
Side extension set back from original dwelling, single storey side aspect with skylights removed entirely, lowered and pitched extension roof-line to the principal elevation and reduction in width of two storey rear extension.				
<i>Web link</i>				

8	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02611/HOUSE	Holly Pockett 18-09-2018	Cllr Parry	Miss Davies 07717533689

Planning Applications to be Considered

Planning Applications received to be considered on 10 September 2018

<i>Case Officer</i>			
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>
Mrs P Furse		16 Oak Warren	Kippington
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>
			29/08/18
Demolition of rear conservatory. Erection of single storey side extension and two storey rear extension with a glazed balustrade to balcony and juliet balcony at rear. Modifications to roof structure to facilitate the loft conversion to habitable space. Alterations to fenestration.			
<i>Web link</i>			

9	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02639/LBCALT	Natalie Rowland 19-09-2018	Cllr Parson	Miss C Proto 462100
<i>Case Officer</i>				
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>	
National Trust	Knole House	Knole Lane	Town	
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>	
			31/08/18	
Install a new roof access system to the Chapel roof.				
<i>Web link</i>				

10	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02676/ADV	S Mitchell 19-09-2018	Cllr Canet	Mr Walcott 01189 507700
<i>Case Officer</i>				
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>	
Aldi Stores Ltd	Haywards	Oxford Road	Northern	
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>	
			30/08/18	
Installation of signs.				
<i>Web link</i>				

11	<i>Plan Number</i>	<i>Planning officer</i>	<i>Town Councillor</i>	<i>Agent</i>
	18/02699/HOUSE	Emma Gore 21-09-2018	Cllr Mrs Walshe	Mr Hardwick 07964840560
<i>Case Officer</i>				
<i>Applicant</i>	<i>House Name</i>	<i>Road</i>	<i>Locality</i>	
Mr R Otto		23 Hilingdon Avenue	Eastern	
<i>Town</i>	<i>County</i>	<i>Post Code</i>	<i>Application date</i>	
			04/09/18	
Single storey rear extension with rooflights. Alterations to fenestration.				
<i>Web link</i>				