

Licensing Act 2003 Sub-Committee on 06th June 2006

Report title: Application for a grant of Section 34 Gaming Permit.

Report of: The Lead Officer Licensing

Ward(s) affected ALL AREAS

1. Purpose

To consider an application to renew a Section 34 permit to allow 3 machines on the premises.

The premises currently operates with 3 machines and is renewing an existing license Previously granted by the Magistrates Court

2. Recommendations

2.1 (a) Grant the application as asked

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application unless it is necessary to promote the licensing objectives.

Report authorised by: Robin Payne.....


Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett

Telephone: 020 8489 5103

3. Executive summary

For consideration by Sub Committee under Licensing Act 2003 for a New Premises licence

4. Access to information:

Local Government (Access to Information) Act 1985

Background Papers

The following Background Papers are used in the preparation of this Report:

File: Yates Wine Lodge

The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

5. REPORT

Background

- 5.1** Section 34 of the Gaming act 1968 provides for two types of gaming machines which are:
- (1) Amusement with Prizes 'coin or token' ie maximum stake 30p and maximum prize £5 cash or £8 non cash (Section 34(1) Gaming Act 1968)
 - (2) Amusement with prizes 'all cash' i.e. maximum stake 30p and maximum prize £25 (Section 34(5E) Gaming Act 1968).

The relevant statutory provisions are set out in Section 34 and Schedule 9 Gaming Act 1968 as amended by Licensing Act 2003 Schedule 6, paragraph 52 and Gambling Act 2005 Schedule 16, paragraphs 3 (7) and 8.

1. The premises must be licensed under the Licensing Act to sell alcohol
2. The AWP machines must be located on these licensed premises and there must be a bar for serving alcohol to customers on the premises.
3. A Premise License holder is a person holding a Premises License under the Licensing Act 2003.

This matter is brought before the committee as the applicants are renewing more than 2 machines. There is no statutory limit to the number of machines allowed. The Government suggests that hearings should not be required where no more than two machines are applied for. It is standard procedure to bring before the committee any application that is requesting more than 2 machines. These premises are renewing an existing license previously granted by the Magistrates.

- 5.2** This permit has a duration of 3 years and will need to be renewed once again after that time
- 5.3** Finance
An application for a Section 34 permit cost £32 irrespective of the number of machines being applied for.

5.4 PREMISES APPLYING FOR SEC 34.

The Tollgate 26-30 Turnpike Lane, London N8
Upgrade to 5 machines

New Moon 413 Lordship Lane N17
3 machines

APPENDIX 1

TOLLGATE APPLICATION FOR 5 MACHINES



Licensing Department
Haringey London Borough
Civic Centre
High Road
London
N22 8LE

Our ref : LTRV / 123775

March 9, 2006

Dear Sir

Re : Tollgate, London
Section 34 Application to upgrade to 5 Machines

Please find enclosed an application for the grant of a Section 34 Gaming Machine Permit in respect of the above premises, together with our cheque to the value of 32.00.

We also enclose our R19 form, and would appreciate your completion of the details, and return of the form to this office, in the pre-paid envelope provided.

I should be grateful if you could advise the anticipated timescale for completion of the above.

If you require any further information please do not hesitate to contact us.

Once granted will you please send the Permit to this office in the second pre-paid envelope provided. This will then be forwarded directly to the site after a photocopy has been taken for our records.

Yours faithfully

Melanie Smith
LICENSING

Leisure Link
3 The Maltings
Wetmore Road
Burton-on-Trent
Staffordshire
DE14 1SE

Telephone
01283 512 777

Facsimile
01283 519 200

Web site
www.leisure-link.com

*e-mail sent
8TH MAY 06*



APPLICATION FOR THE GRANT OF A PERMIT FOR THE USE OF AMUSEMENT WITH
PRIZES MACHINES UNDER THE GAMING ACT 1968 (SECTION 34)
– FOR USE BY PREMISES LICENSED TO SELL ALCOHOL

To: **Haringey London Borough**

Head of Environmental Services / Chief Executive

1. Name of Premises: **Tollgate**
2. Address of Premises: **26/30 Turnpike Lane, Lonodn, N8 0PS**
3. Telephone number of Premises:.....
4. E-mail address of Premises (where available).....
5. Name of Premises Licence holder: **J D Wetherspoon Plc**
6. Address of Premises License Holder: **PO Box 616, Watford, WD24 4QU**
7. Telephone number (daytime) of Premises Licence holder:
8. E-mail address of Premises Licence holder (where available):.....
9. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant
Leisure Link, 3 The Maltings, Wetmore Road, Burton on Trent, Staffs, DE14 1SE
Tel: 01283 512777 ex 3122. Email: Melanie.Smith@LLG.co.uk
10. Premises Licence Reference (i.e. number, where provided).....
11. How many gaming machines under Section 34 do you wish to apply for? (See Note 8)
(please indicate how many *in total*).....**5**.....

I enclose a sum of (£32) (cheques should be made payable to.....)

I confirm that the premises where the machines are proposed to be located are licensed to sell alcohol for consumption on the premises and that there is a bar for serving alcohol to customers on the premises.

Please note: Where false information is provided this may affect the validity of the permit and the extent to which it can be relied on as lawful authority for making gaming machines available on the premises.

Dated 9-3-06.....

Signed (by or on behalf of Premises Licence holder).....

Print Name Melanie Smith.....

Notes:

1. This form is to be used for the GRANT of a permit or to increase the number of machines licensed. There is a separate form for RENEWAL.
2. The relevant statutory provisions are set out in Section 34 and Schedule 9 Gaming Act 1968 as amended by Licensing Act 2003 Schedule 6, paragraph 52 and Gambling Act 2005 Schedule 16, paragraphs 3(7) and (8).
3. The premises must be licensed under the Licensing Act 2003 to sell alcohol.
4. The AWP machines must be located on these licensed premises and there must be a bar for serving alcohol to customers on the premises.
5. A Premises Licence holder is a person holding a Premises Licence under the Licensing Act 2003.
6. There is no statutory limit to the number of machines you may apply for, however you may wish to contact the Council to ask whether there is a local policy that decisions on applications for certain numbers of machines are made via a hearing of local councillors. The Government has suggested that hearings should not be required where no more than two machines are applied for.
7. The minimum time period for which your permit can be granted is three years. Beyond this, the Council can decide how long your permit is granted for, however the Government has suggested that three years is appropriate.
8. Section 34 of the Gaming Act 1968 provides for two types of gaming machines which are:
 - i) Amusement with Prizes "coin or token" i.e. maximum stake 30p and maximum prize £5 cash or £8 non-cash (Section 34(1) Gaming Act 1968)
 - ii) Amusement with Prizes "all cash" i.e. maximum stake 30p and maximum prize £25 (Section 34(5E) Gaming Act 1968)

The application needs to be made for the **total number** of machines. This enables any combination of either type to be utilised up to the maximum number licensed.



Leisure Link
3 The Maltings
Wetmore Road
Burton-on-Trent
Staffordshire
DE14 1SE

PLEASE RETURN TO:

FROM:

Leisure Link Electronic Entertainment Ltd

123775

3 The Maltings
Wetmore Road
Burton on Trent
DE14 1SE

Licensing Department
Haringey London Borough
Civic Centre
High Road
London
N22 8LE

Telephone
01283 512 777
Facsimile
01283 519 200
Web site
www.leisure-link.com

Date: 09/03/06

Name of Applicant(s): Wetherspoons Plc

Address: Tollgate, London
Section 34 Application to upgrade to 5 Machines

I acknowledge receipt of your cheque to the value of £32.00.

Your application is due to be heard Date: _____

Time: _____ Completion: _____

Applicant(s) to attend the hearing YES/NO (Please delete as applicable)

Any additional remarks: _____

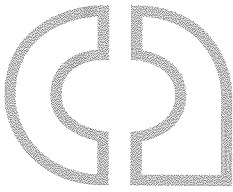
If granted the permit will be sent to: _____

Signed: _____



APPENDIX 2

NEW MOON APPLICATION FOR 3 MACHINES



Claremont Automatics Limited

Fritch Industrial Estate, Great Dunmow, Essex, CM6 1XJ

Telephone: (01371) 875131

Facsimile: (01371) 875348

Email: claremont@dunmow-sales.fsnet.co.uk

4th April 2006

Our Ref: LAT/PER

London Borough of Haringey
Licensing Team
Civic Centre
High Road
London
N22 8LE

Dear Sir or Madam


Re: New Moon, 413 Lordship Lane, Tottenham, London. N17 6AG

Please find enclosed an application for the renewal of the Section 34 permit in respect of the above site.

We would be grateful if the permit, when granted, is sent to our offices here so that a copy may be taken and our records kept up to date. We shall then immediately forward the permit to the Licensee.

A cheque is enclosed for £32 in respect of the permit fee and a stamped addressed envelope is enclosed for your convenience.

Yours faithfully



Mrs Lorraine Tyler
Permit Control

enc.

AMUSEMENT WITH PRIZES MACHINES UNDER THE GAMING ACT 1968 (SECTION 34)
- FOR USE BY PREMISES LICENSED TO SELL ALCOHOL

To: LONDON BOROUGH OF HARINGEY

1. Name of Premises..... NEW MOON
2. Address of Premises..... 413 LORSHIP LANE, TOTTENHAM
LONDON N17 6AG
3. Telephone number of Premises..... 0208 801 6887
4. E-mail address of Premises (where available).....
5. Name of Premises Licence holder..... WOOLWICH TAUGENS LTD
6. Address of Premises Licence holder..... 862 HIGH ROAD, TOTTENHAM
LONDON N17 0EY
7. Telephone number (daytime) of Premises Licence holder
8. E-mail address of Premises Licence holder (where available).....
9. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant
CLAREMONT AUTOMATICS LIMITED
FLITCH INO EST, QUAMON, ESSEX CM6 1XT
01371 875131
10. Premises Licence Reference (i.e. number, where provided) 1325
11. Existing permit number (if applicable)..... 00717renewal application only
12. Date existing permit issued..... 2/5/2003renewal application only
13. Date existing permit expires..... 2/5/2006renewal application only
14. How many gaming machines under Section 34 do you wish to apply for? (See Note 8)
(please indicate how many in total)..... THREE

I enclose a sum of (£32) (cheques should be made payable to Ipswich Borough Council)

I confirm that the premises where the machines are proposed to be located are licensed to sell alcohol for consumption on the premises and that there is a bar for serving alcohol to customers on the premises.

Please note: Where false information is provided this may affect the validity of the permit and the extent to which it can be relied on as lawful authority for making gaming machines available on the premises.

Dated..... 4/4/2006

Signed (by or on behalf of Premises Licence holder)..... [Signature]

Print Name..... LORRAINE TYLER - CLAREMONT AUTOMATICS