

**Licensing Act 2003 Sub-Committee on 12<sup>TH</sup> DECEMBER 2006**

Report title: Application for a grant of Section 34 Gaming Permit. Winchester Hall Tavern, 206 Archway Road, Highgate, London N6 5BA

Report of: The Lead Officer Licensing

Ward(s) affected ALL AREAS

**1. Purpose**


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

**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: Winchester Hall Tavern**

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

## 5. REPORT

### Background

**5.1** The Government has introduced an order under the Gaming Act 1968 to increase the stakes and prizes for amusement with prizes machines. This change came into effect on 27<sup>th</sup> October 2006 on the understanding that all the main industry associations will introduce enhanced voluntary codes of social responsibility.

**5.2** 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 50p 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 50p and maximum prize £35 (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 Applying for 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 had a permit for less machines previously granted by the Magistrates.

**5.3** This permit will only be active until September 2007 and will need to be applied for again after that time when the Gambling Act comes into force.

**5.4** Attached for Members information is the Code of Practice on Responsible Management.

**5.5** Finance

An application for a Section 34 permit cost £32 irrespective of the number of machines being applied for.

# APPLICATION FORM

LICENSING ADMINISTRATION  
London Borough of Haringey  
Civic Centre  
High Street  
London  
N22 8LE

Dear Sirs

RE: S34 PERMIT RENEWAL-Winchester Hall Tav , Highgate , N6 5BA

Please find enclosed a renewal application in respect of the Section 34 permit for the above premises, together with the payment of £32. According to our records this is due to expire on 06/02/2007 and covers 3 machines.

We are the supplier of machines to this site and act as their authorised agents, but unfortunately may not hold all of the information regarding Premises Licence Holder or other associated details. We have completed as many of the details required as possible. Please issue the renewal in the name of the current Premises Licence Holder and on receipt we will update our records.

As we wish the sites under our control to remain legal we would be obliged if you could grant this renewal application as soon as possible and send the permit to ourselves for retention and we will then forward a copy to the site.

Many thanks in anticipation of your assistance.

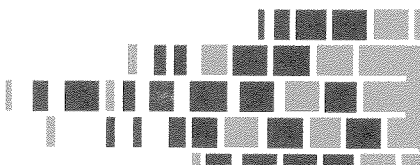
Yours faithfully

A handwritten signature in black ink, appearing to read "Danielle Carroll".

daniellecarroll  
Licensing Department  
Gamestec Leisure Ltd

Enc.

3 machines

A handwritten signature in black ink, appearing to read "3 machines" with a large flourish underneath.

**APPLICATION FOR THE RENEWAL 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:  
London Borough of Haringey  
Head of Environmental Services / Chief Executive

London Borough of Haringey  
  
London

1. Name of Premises.....Winchester Hall Tav .....

2. Address of Premises.....206 Archway Rd .....

....., Highgate , N6 5BA...

3. Telephone number of Premises...0208 3741690.....

4. E-mail address of Premises (where available).....UNKNOWN.....

5. Name of Premises Licence holder...Punch Taverns PLC.....

6. Address of Premises Licence holder...Jubilee House, Second  
Avenue, Burton upon Trent, Staff., DE14 2NF.....

7. Telephone number (daytime) of Premises Licence holder ...01283 501977.....

8. E-mail address of Premises Licence holder (where available)...UNKNOWN.....

9. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant  
.....Gamestec Leisure Limited, 0113 2589495.....  
.....Low Lane ,.....  
.....Horsforth , , Leeds , LS18 4ER

10. Premises Licence Reference (i.e. number, where provided) ...UNKNOWN.....

11. Existing permit number (if applicable).....UNKNOWN.....

12. Date existing permit issued.....UNKNOWN.....

13. Date existing permit expires.....06/02/2007.....

14. How many gaming machines under Section 34 do you wish to apply for? (See Note 8)  
(please indicate how many **in total**)...3.....

*I enclose a sum of (£32) (cheques payable to London Borough of Haringey .)*

***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.....14.11.06.....

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

Print Name...daniellecarroll.....

LICENSING ADMINISTRATION  
London Borough of Haringey  
Civic Centre  
High Street  
London  
N22 8LE

Dear Sirs

RE: S34 PERMIT RENEWAL-Finsbury Mr Q Sdj , Finsbury Pk (5) , N4 1BX

Please find enclosed a renewal application in respect of the Section 34 permit for the above premises, together with the payment of £32. According to our records this is due to expire on 16/02/2007 and covers 3 machines.

We are the supplier of machines to this site and act as their authorised agents, but unfortunately may not hold all of the information regarding Premises Licence Holder or other associated details. We have completed as many of the details required as possible. Please issue the renewal in the name of the current Premises Licence Holder and on receipt we will update our records.

As we wish the sites under our control to remain legal we would be obliged if you could grant this renewal application as soon as possible and send the permit to ourselves for retention and we will then forward a copy to the site.

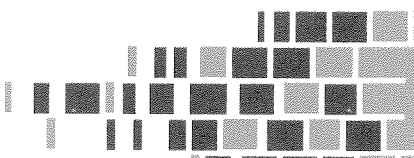
Many thanks in anticipation of your assistance.

Yours faithfully

A handwritten signature in cursive script that reads "Danielle Carroll".

daniellecarroll  
Licensing Department  
Gamestec Leisure Ltd

Enc.



**APPLICATION FOR THE RENEWAL 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:  
London Borough of Haringey  
Head of Environmental Services / Chief Executive

London Borough of Haringey  
  
London

1. Name of Premises.....Finsbury Mr Q Sdj .....

2. Address of Premises.....336 Green Lanes .....

....., Finsbury Pk (5) , N4 1BX...

3. Telephone number of Premises...0208 8008304.....

4. E-mail address of Premises (where available).....UNKNOWN.....

5. Name of Premises Licence holder...Spirit.....

6. Address of Premises Licence holder...107 Station Street.....  
.....BURTON ON TRENT DE4 1BZ.....

7. Telephone number (daytime) of Premises Licence holder ...01283 545320.....

8. E-mail address of Premises Licence holder (where available)...UNKNOWN.....

9. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant  
.....Gamestec Leisure Limited, 0113 2589495.....  
.....Low Lane ,.....  
.....Horsforth , , Leeds , LS18 4ER

10. Premises Licence Reference (i.e. number, where provided) ...UNKNOWN.....

11. Existing permit number (if applicable).....UNKNOWN.....

12. Date existing permit issued.....UNKNOWN.....

13. Date existing permit expires.....16/02/2007.....

14. How many gaming machines under Section 34 do you wish to apply for? (See Note 8)  
*(please indicate how many in total)*...3.....

*I enclose a sum of (£32) (cheques payable to London Borough of Haringey )*

***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.....14.11.06.....

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

Print Name...daniellecarroll.....

# CODE OF PRACTICE





**All Cash Machines (Category C):  
Code of Practice on Responsible Management**

**October 2006**

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**UNDER 18'S PROHIBITED FROM PLAYING  
AMUSEMENT WITH PRIZES MACHINES**

**(CATEGORY C)**

**GAMBLE RESPONSIBLY**  
GAMBLING SHOULD BE FUN  
IF GAMBLING IS CAUSING YOU A PROBLEM  
FOR CONFIDENTIAL ADVICE AND SUPPORT  
CONTACT:  
**GAMCARE UK HELPLINE: 0845 6000 133**  
**WEBSITE: [www.gamcare.org.uk](http://www.gamcare.org.uk)**

**NO UNDER  
18  
TO PLAY**

The banner is divided into two main sections. On the left, there is a white box containing the Gamcare logo (a stylized 'G' with an arrow) and the text "GAMCARE UK HELPLINE: 0845 6000 133" and "WEBSITE: www.gamcare.org.uk". To the right of this box, the text "GAMBLE RESPONSIBLY" and "GAMBLING SHOULD BE FUN" is displayed. Below this, a smaller line of text reads "IF GAMBLING IS CAUSING YOU A PROBLEM FOR CONFIDENTIAL ADVICE AND SUPPORT CONTACT:". On the right side of the banner, there is a large circular graphic with a diagonal slash through it, containing the text "NO UNDER 18 TO PLAY".

## **Code of Practice on Restricting Under Age Play on All Cash AWP Machines (Category C)**

The signatories to this Code have agreed to abide by its terms which restrict the age of play to 18 wherever such machines are sited.

- **Under 18 year olds are NOT permitted to play All-Cash Machines (Category C)**
- **Machines will be kept under supervision by staff**
- **Notices on machines will make it clear that no under 18s are to play.**
- **Machines must display the Gamcare Helpline Number**



**GAMBLE RESPONSIBLY**  
**GAMBLING SHOULD BE FUN**  
IF GAMBLING IS CAUSING YOU A PROBLEM  
FOR CONFIDENTIAL ADVICE AND SUPPORT  
CONTACT:  
**GAMCARE UK HELPLINE: 0845 6000 133**  
**WEBSITE: [www.gamcare.org.uk](http://www.gamcare.org.uk)**



**NO UNDER  
18  
TO PLAY**

- **The signatories will ensure that operators are made aware of the revised Code and it is available to them prior to the conversion of machines to the new prize level.**

## IMPLEMENTING THE CODE OF PRACTICE

### 1. Age Control Policy

- 1.1 All units should have an Age Control Policy – ie. *no under 18s play* - to be implemented by staff in the event of an all cash machine being played by a person or persons under the age of 18 years. It is recognised that this may need to vary slightly in order to suit the needs of particular venues, but it is likely to contain the following elements:
- (a) Staff should challenge any player(s) they suspect of being under the age of 18 by asking for proof of age, eg. A PASS approved Proof of Age Card, passport or driving licence;
  - (b) In the event that the player(s) are underage, they should be told in clear terms that they are not permitted to play the machine;
  - (c) Any under age player(s) should be asked to leave the premises if they persist in playing the machine despite being advised of the *no under 18s play* policy.
- 1.2 Any adult who is knowingly or recklessly allowing a child or young person to gamble should be asked to stop. If they refuse to do so, they should be not be allowed to continue playing the machine themselves and/or asked to leave the premises.

### 2. Supervision of Machines

- 2.1 Machines should be located where they can be supervised effectively by staff.

### 3. Signage

- 3.1 All machines must display the updated "no under 18s to play" sign which carries the Gamcare Helpline Number and information on percentage payout.
- 3.2 Machines will not be converted by suppliers to the new prize level of £35 unless they display this sign.
- 3.3 Machine suppliers will provide a copy of this Code to retailers in conjunction with good practice under the BACTA Code of Practice for Machine Suppliers.

ALL CASH MACHINES (Category C)  
Code Of Practice on Responsible Management

# NEW £35 JACKPOT

## British Beer & Pub Association Code of Practice

- Under 18 year olds are **NOT** permitted to play All-Cash Machines (Category C)
- Any players suspected of being under the age of 18 will be asked for proof of age, eg. a PASS approved Proof of Age Card, passport or driving licence
- Underage players will be asked to leave the premises if they persist in playing the machine despite being advised of the no under 18s play policy
- Any adult allowing a child or young person to gamble will be asked to stop. If they refuse, they will not be permitted to continue playing the machine themselves and may be asked to leave the premises
- All £35 prize machines display the Gamcare Helpline Number
- Machines are kept under supervision by staff

