

LICENSED PREMISES GAMING MACHINE PERMIT VARIATION APPLICATION – The Good Yarn, High Street, Uxbridge

Committee

Licensing Sub-Committee

Officer Contact

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Papers with report

Appendix 1 - Gaming Machine Permit Variation Application
Appendix 2 - Copy of current Gaming Machine Permit
Appendix 3 - Proposed Plan
Appendix 4 – Compliance Policy
Appendix 5 – Copy of Licensing Act 2003 Premises Licence
Appendix 6 – Gambling Commission’s code of practice for Gaming Machine Permits

Ward(s) affected

Uxbridge South

SUMMARY

Determination of the Gaming Machine Variation Application in respect of The Good Yarn, High Street, Uxbridge by J.D Wetherspoon. The application is altering the amount of gaming machines on site from 5 to 6 category C machines. **Appendix 1**

RECOMMENDATION

On consideration of the application, the Licensing Sub Committee are asked to determine the application by way of:

- a) granting the application
- b) refusing the application, or
- c) Granting the permit in respect of
 - i. a smaller number of machines than that specified in the application
 - ii. a different category of machine from that specified in the application, or
 - iii. both

A licensing authority may not attach conditions to a permit

Granting the application in full.

INFORMATION

1. A variation application for a gaming machine permit, in respect of The Good Yarn, 132 High Street, Uxbridge, was submitted to the Applications Processing Team on 31st May 2018. The application requests an increase of machine usage from the existing 5 machines to 6. The previous permit came in to effect on 23rd October 2018. **Appendix 2**

Alongside the application is a proposed location of all six gaming machines. **Appendix 3**

The application was submitted in a complete format and in accordance with the procedures set out in the Gambling Act 2005.

Classification: Public

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Upon request the applicant has submitted JD Wetherspoon's policy overview on gaming machines. **Appendix 4**

The application procedure does not require any consultation with responsible authorities or any advertising/legal notice

General Information:

- The premises has the benefit of a Premises Licence issued under the Licensing Act 2003 for the sale of alcohol, regulated entertainment, films and late night refreshment provisions. **Appendix 5**
- the holder of the above licence and subsequent permit permitting gaming activities are required to comply with the Gambling Commission's code of practice for Gaming Machine Permit **Appendix 6**
- Gaming Machines on site of a licensed premises are permitted to be either category C and/or D, category breakdowns are depicted below:

Gaming machines (fruit machines, slot machines) fall into categories depending on the maximum stake and prize available:

Machine category	Maximum stake	Maximum prize
<u>C</u>	£1	£100
<u>D non-money prize (other than crane grab machine)</u>	30p	£8
<u>D non-money prize (crane grab machine)</u>	£1	£50
<u>D money prize</u>	10p	£5
<u>D combined money and non-money prize (other than coin pusher or penny falls machines)</u>	10p	£8 (of which no more than £5 may be a money prize)
<u>D combined money and non-money prize (coin pusher or penny falls machine)</u>	20p	£20 (of which no more than £10 may be a money prize)

The committee is asked to consider and determine the application as per the options referred to within the above recommendations.

LEGAL IMPLICATIONS

1. The protocol that we use for licensing hearings is to be utilised for this hearing as it is the protocol for licensing and gambling matters.
2. In terms of procedure, the Gambling Act Policy scheme of delegation states that this committee will determine the application by way of report. There is therefore no procedure to follow. It is an application on the papers. I have attached the policy for ease of reference. The relevant guidance is included in the report at **Appendix 6**.
3. If JD Wetherspools wish to attend and make representations, then we follow the same procedure that we would for new premises licence applications. Neil/Steve - you may wish to call JD Wetherspools in order to confirm whether the application should be decided on the papers or whether they wish to submit reps.

BACKGROUND PAPERS

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BACKGROUND DOCUMENTS:

- The Gambling Act 2005
- The Council’s Statement of Gambling Principles
- Gambling Commission Guidance to Licensing Authorities