

Association British Bookmakers (ABB)  
The Bingo Association (BA)  
British Amusement Catering Trade Association (BACTA)  
Independent Bookmakers Association (IBA)

LET 10/04

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## **Licence Conditions and Codes of Practice (LCCP) Supplement 4: Primary gambling activity**

I am writing to you as one of the major trade associations which represent premises-based gambling operators in Great Britain. This letter is intended to update you and your members on the Commission's recent work with regard to primary gambling activity. It has become clear, not least through discussions at our open events, that a number of licensed operators would welcome further explanation of the position.

Recently the Commission has made 18 targeted representations to licensing authorities on premises licence applications. We have also been in touch directly with a number of operators with regard to primary gambling activity. In all 18 cases where representations were made, applications have been withdrawn by operators.

We want to help licensed operators understand the position on primary gambling activity more clearly which, in turn, will help prevent businesses wasting resources on what may turn out to be unproductive premises licence applications. I am hopeful that you will be able to support this work by reminding your members of the Commission's position.

On 1 May 2009 the Commission introduced a supplement to the Licence Conditions and Codes of Practice (LCCP) placing a requirement on operators to ensure that where either a betting, bingo or casino premises licence is in effect, the main activity made available at the premises is the one on the face of the licence.

The [supplement](#), which includes requirements specific to the betting, bingo and casino sector can be downloaded in full from our website.

The Commission monitors operators' compliance with these requirements. As part of our work we became aware of a number of applications for premises licences (and variations of existing premises licences) from several operators. The applications included the proposal to split what had been one betting premises into two betting premises and another which proposed to change the premises licence in a building which contained two adult gaming centres into a betting premises and an adult gaming centre.



The Commission has been liaising on these matters with the Local Authority Coordinators of Regulatory Services (LACORS) and the local authorities affected. A number of the local authorities had related concerns. As part of the Commission's ongoing commitment to develop our relationship with local authorities and ensure that the regulated landscape is as clearly understood as possible (for all concerned), we consider it important to make targeted representations which help in establishing both principle and precedent. Therefore we made representations on these applications. The applications were subsequently withdrawn.

Whilst the Commission does not routinely make such representations, as we stated in our Guidance to Licensing Authorities (May 2009) 'where an application for a premises licence ....raises matters of wider or national significance, the Commission will consider making representations...'

To that end we will continue to monitor compliance with the primary gambling activity requirement and, on a case by case basis, will not hesitate to make representations on premises applications should we consider it appropriate.

We will also continue to discuss primary gambling activity directly with operators and local councils. I know that you are trusted advisor to many of your members and I do hope that you will be able to support our communications activity in this area.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Tofiluk', with a long horizontal stroke extending to the right.

Nick Tofiluk  
Director of Regulation