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TO

Make provision for licensing authorities to restrict the number of Category B2 gaming machines which may be authorised under a betting premises licence.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Betting premises licence: number of Category B2 gaming machines

(1) After section 172 of the Gambling Act 2005 (“the 2005 Act”) insert—

“172A Betting premises licence: number of category B2 gaming machines

- (1) The conditions which a licensing authority may attach under section 169 (conditions imposed or excluded by licencing authority) to a betting premises licence include—
 - (a) a condition that no gaming machines for which the maximum charge for use is more than £10 may be made available for use on the premises, or
 - (b) a condition that the number of gaming machines of that description which may be made available for use on the premises must not exceed a number specified by the licencing authority in the licence.
- (2) The number of machines which may be specified for the purposes of subsection (1)(b) must be lower than the number of machines which is at that time authorised under section 172(8); but where the number of machines so authorised is subsequently varied—
 - (a) the number of machines specified (or treated as specified) for the purposes of subsection (1)(b) is to be treated as having been varied by the same amount, and
 - (b) the licence is to have effect accordingly.
- (3) In deciding whether to attach the condition referred to in subsection (1)(a) or (b) or whether to exercise the power under section 202(1)(d) (action following review) to add, remove or amend that condition, a licensing authority shall give particular weight to the impact of the

number of premises in the area concerned in which gaming machines of that description are available for use on the promotion of the licensing objectives.

- (4) A licensing authority in Scotland may add, remove or amend the condition referred to in subsection (1)(a) or (b) in exercise of the power under section 202(1)(d) only in the case of a betting premises licence issued before 23 May 2016 (the day when section 52 of the Scotland Act 2016 came into force). 5
- (5) Subject to that, this section applies only to licensing authorities in England and Wales.” 10
- (2) In section 172 of the 2005 Act (gaming machines), after subsection (11) insert –
“(12) Subsections (8) and (10)(a) are subject to section 172A.”

2 Extent, commencement and short title

- (1) This Act extends to England and Wales and to Scotland.
- (2) Section 1 comes into force two months after the day on which this Act is passed. 15
- (3) This section comes into force on the day on which this Act is passed.
- (4) This Act may be cited as the Betting Licences (Category B2 Gaming Machines) Act 2016.

Betting Licences (Category B2 Gaming Machines) Bill [HL]

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To make provision for licensing authorities to restrict the number of Category B2 gaming machines which may be authorised under a betting premises licence.

Lord Bishop of St Albans

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