

CLUB GAMING AND MACHINE PERMITS GUIDANCE NOTES

Club Gaming Permit (CGP)

A Club Gaming Permit is available to members' clubs or miners' welfare institutes, but not commercial clubs. It allows the club to offer:

- Equal chance gaming such as poker and bingo
- Games of chance (pontoon and chemin de fer only)
- Up to three gaming machines in total from categories B3A, B4, C or D. The club is permitted to choose the combination of machines on its premises, but only one machine can be of category B3A.

Restrictions on the gaming are:

- No limits on stakes and prizes, (except bingo, where there is a stakes and prizes limit of £2,000 in any seven day period).
- Limit on participation fees per person per day - £20 for bridge and/or whist (if played on a day on which no facilities of any kinds of gaming (other than bridge or whist) are provided by the relevant club on that day), £3 for other gaming (including poker) in any other circumstances.

Club Machine Permit (CMP)

A Club Machine Permit is available to members' clubs, miners' welfare institutes and commercial clubs. It allows the club to offer:

- Equal chance gaming such as poker and bingo
- Up to three gaming machines in total of categories B3A, B4, C or D. The club is permitted to choose the combination of machines on its premises, but only one machine can be of category B3A. (Please note Category B3A machines are not permitted in commercial clubs).

Restrictions on the gaming are:

- Limit on stakes and prizes for bingo is £2,000 in any seven day period
- Limits on stakes for poker - £10 per person per game, within a premises limit of £250 in stakes per day and £1,000 per week
- Limit of prizes for poker - £250 per game

- Limit on participation fees per person per day - £18 for bridge/whist (if played on a day on which no facilities of any kind of gaming (other than bridge or whist) are provided by the relevant club on that day), £1 for other gaming (including poker), £3 where it's a commercial club.

A list of all gaming machine categories showing permitted stakes and prizes can be found on page 7.

Who can apply for a Club Gaming or Machine Permit?

A members' club or miners' welfare institute may apply for a Club Gaming Permit

Members' Club must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

With regard to miners' welfares institutes, the definition of this class of club has changed to reflect social and economic changes since their establishment. There are associations established for recreational or social purposes. They are managed by representatives of miners or uses premises regulated by a charitable trust, which has received funds from one of a number of mining organisations.

A commercial club cannot apply for a Club Gaming permit. Commercial clubs have the same characteristics as members' clubs, except that the key difference is that they are established with a view to making a profit (an example of a commercial club is a snooker club); however they can apply for a Club Machine permit.

Applicants are not required to have an Operating Licence issued by the Gambling Commission.

Duration of Club Gaming and Machine Permits

Both permits last for a period of ten years unless it ceases to have effect because it is surrendered or lapses. There is an annual fee for both permits, the first of which must be paid within 30 days of the permit becoming effective.

In England and Wales a club gaming or machine permit that was granted under a fast track procedure (by those clubs with Club Premises Certificates under the Licensing Act 2003) do NOT expire and only cease to have effect if it is surrendered, cancelled, forfeited or it lapses because the club premises certificate is no longer in force.

An application for the renewal for either permit must be made during the period beginning three months before the permit expires and ending six weeks before it

expires. (e.g. If a permit was issued on 1 October 2018, the applicant would need to apply for the renewal between 1 July 2018 and 20 August 2018.)

The process for renewal is exactly the same as for a new application.

A club that originally applied for a permit under the normal application process (not fast-tracked) because it did not hold a club premises certificate at that time, but has since secured a club premises certificate, will then renew at the fast-track reduced fee.

Application Procedure

Applications should be forwarded, with the appropriate fee, to the:

Licensing Section
Amber Valley Borough Council
Town Hall
Market Place
Ripley
DE5 3XE

Tel: 01773 570222

Email: licensing@ambervalley.gov.uk

Within a period of 7 days (beginning on the date on which the application is made) a copy of the application (and any accompanying documents) must be forwarded to:-

The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP
Tel: 0121 230 6500
Email: info@gamblingcommission.gov.uk

Derbyshire Constabulary
Licensing Section
Chesterfield Police Station
Beetwell Street
Chesterfield
Derbyshire
S40 1QP
Tel: 0300 1228 517
Email: northdivlicensing@derbyshire.pnn.police.uk

These bodies have 28 days to make any objections that they may have to the application.

Please see the flow chart on page 8 which shows the procedure followed by the Council once an application has been submitted.

A list of all current fees can be found on page 6.

Once an application has been received the Council can either grant or refuse it, however it cannot add conditions.

The Council may only refuse an application for a Permit on one or more of the following grounds:

- a) That the applicant is not a members' club or miners' welfare institute
- b) That the premises on which the applicant conducts its activities are used wholly or mainly by children, by young persons or by both
- c) That an offence, or a breach of a condition of a permit, has been committed in the course of gaming activities carried on by the applicant.
- d) That a permit held by the applicant has been cancelled during the period of ten years ending with the date of the application, or
- e) That an objection to the application has been received from either the Police or the Gambling Commission.

Before refusing an application the Council must hold a hearing to consider the application and any objection received from either the Police or the Gambling Commission.

If an application is made under the "fast track" procedure then it is not necessary to forward the application to the Police or Gambling Commission.

The Council must grant the application unless:

- a) The applicant is established or conducted wholly or mainly for the purposes of the provision of facilities for gaming, other than gaming of a prescribed kind,
- b) The applicant is established or conducted wholly or mainly for the purposes of the provision of facilities for gaming of a prescribed kind and also provided facilities for gaming of another kind or,
- c) A Club Gaming Permit issued to the applicant has been cancelled during the period of ten years ending with the date of the application.

In such circumstances the Council must hold a hearing to consider the application.

A copy of the permit must be kept on the premises and available for inspection at all times. It is an offence not to produce it when requested to do so by a Police Constable or an Enforcement Officer. If a permit is lost, stolen or damaged, a replacement can be applied for (subject to the appropriate fee)

If information contained in the permit ceases to be accurate an application must be made to the Council as soon as is reasonable practicable to have it varied.

Cancellation and Forfeiture:

The Council may cancel the permit if:

- The premises are used wholly by children and/or young people; or
- An offence, or breach of a permit condition, has been committed in the course of gaming activities by the permit holder (a condition means a condition in the Act, or in the regulations the permit is operating under).

Before cancelling a permit, the Council must give the holder at least 21 days' notice, and it must consider any representations made. If the permit holder requests a hearing, it must be held and must comply with any other procedure requirements set out in the regulations. The cancellation would not take effect until:

- Any appeal has been determined;
- 21 days after the notice of intention, if no appeal is lodged.

A permit can also be cancelled if the holder fails to pay the annual fee.

A permit will lapse if the holder of the permit stops being a club or miners' welfare institute, or if it no longer qualifies under the fast track system for a permit. In addition, a permit will cease to have effect upon being surrendered to the Council.

Gambling Act Permit Fees

Club Gaming Permits

Occasion on which fee may be payable	Fee
Grant	£200
Grant (Club Premises Certificate holder)	£100
Existing operator Grant	£100
Variation	£100
Renewal	£200
Renewal (Club Premises Certificate holder)	£100
Annual Fee	£ 50
Copy of Permit	£ 15

Club Machine Permits

Occasion on which fee may be payable	Fee
Grant	£200
Grant (Club Premises Certificate holder)	£100
Existing operator Grant	£100
Variation	£100
Renewal	£200
Renewal (Club Premises Certificate Holder)	£100
Annual Fee	£ 50
Copy of Permit	£ 15

Gaming Machine Entitlements

	Max. Stake	Min. Prize	2005 Act Large casino	2005 Act Small Casino	1968 Act Casino	Betting Shops Tracks with Pool betting	Bingo Premises Adult Gaming Centres	Member's Clubs Miners' Welfare Club or Commercial Club	Pubs
B1	£5	£10,000	Max 150 Any combination of Cat B to D (subject to Machine/table ratio 5-1)	Max 80 Any combination of Cat B to D (subject to Machine/table ratio 2-1)	Max 20 Any combination of Cat B to D or any number of C or D machines instead	Not permitted	Not permitted	Not permitted	Not permitted
B2	£100	£500	Max 150 Any combination of Cat B to D (subject to Machine/table ratio 5-1)	Max 80 Any combination of Cat B to D (subject to Machine/table ratio 2-1)	Max 20 Any combination of Cat B to D or any number of C or D machines instead	Max 4 Any combination of Cat B to D	Not permitted	Not permitted	Not permitted
B3	£2	£500	Max 150 Any combination of Cat B to D (subject to Machine/table ratio 5-1)	Max 80 Any combination of Cat B to D (subject to Machine/table ratio 2-1)	Max 20 Any combination of Cat B to D or any number of C or D machines instead	Max 4 Any combination of Cat B to D	Max 20% of the total number of machines available for use of the premises	Not permitted	Not permitted
B3A	£2	£500	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	1 machine	Not permitted
B4	£2	£400	Max 150 Any combination of Cat B to D (subject to Machine/table ratio 5-1)	Max 80 Any combination of Cat B to D (subject to Machine/table ratio 2-1)	Max 20 Any combination of Cat B to D or any number of C or D machines instead	Max 4 Any combination of Cat B to D	Max 20% of the total number of machines available for use of the premises	Max 3 machines	Not permitted
C	£1	£100	Max 150 Any combination of Cat B to D (subject to Machine/table ratio 5-1)	Max 80 Any combination of Cat B to D (subject to Machine/table ratio 2-1)	Max 20 Any combination of Cat B to D or any number of C or D machines instead	Max 4 Any combination of Cat B to D	No limit This category also includes family entertainment centres	Max 3 machines	Max 2 Machines (or specified amount with permit from Local Authority)

Category D gaming machines can be located in casinos, betting shops, tracks with pool betting, bingo premises, adult gaming centres, members' clubs, miners' welfare clubs or commercial clubs, family entertainment centres, pubs, travelling fairs and unlicensed (with permit) family entertainment centres.

However, their use in premises other than adult gaming centres, family entertainment centres, pubs and travelling fairs is unusual.

There are five different combinations of stake and prize for the various types of Category D machine:

Type of Category D machine	Stake	Prize
D money prize	10p	£5
D non-money prize (other than crane grab machine)	30p	£8
D non-money prize (crane grab machine)	£1	£50
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)
D combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

Pubs and other alcohol licensed premises are automatically entitled to two category C or D gaming machines upon notification to the local licensing authority of their intentions to make gaming machines available for use.

* See section 266 of the Gambling Act 2005 for definition

** See section 268 of the Gambling Act 2005 for definition

