

Gambling Act 2005 guidance

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These notes are for guidance only. They are intended to assist applicants in the preparation of applications for the various permissions prescribed in the Gambling Act 2005 – premises licences, permits and registrations – and to provide information. They are **not** a definitive statement of the law and we advise you to consult a solicitor if you have any questions about legal aspects of your application.

Most of the information relates to premises licence as this is the most complex area of the act. However, we have also included information on permits and registrations as this will be of interest to existing licensees and permit holders.

Specific guidance on casinos and tracks have not been included in this document as no such premises currently operate within the borough.

1.0 Overview of the act

The act modernises the UK's existing laws on betting and gaming regulates all gambling in Great Britain except the National Lottery and Spread Betting.

The act repeals the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976.

The act introduces a unified regulator for gambling – the Gambling Commission, replacing the Gaming Board.

The act transfers responsibility for gaming and betting premises from licensing justices to the Gambling Commission and local councils (licensing authorities).

2.0 The licensing objectives

The act focuses on three key objectives:

- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and vulnerable persons from being harmed or exploited by gambling.

Licensing authorities will have a duty to promote the objectives and to permit gambling provided it is, as far as possible, consistent with them.

Gambling activity will be regulated by a combination of the following:-

- The provisions of the Gambling Act
- Secondary legislation (regulations)
- Conditions of licence
- Codes of practice issued by the Gambling Commission
- Guidance from the Department of Culture, Media and Sport.

3.0 The licensing framework

The act creates the following framework of licence, permits and registrations

Licences

- Operating licence
- Personal licence
- Premises licence

Permits

- Prize gaming
- Unlicensed family entertainment centres
- Club gaming permits and club machine permits
- Alcohol licensed premises gaming machine permits

Registrations

- Small society lottery registrations (less than £20,000)- issued by local licensing authorities

3.1 Licences issued by the Gambling Commission

3.1.1.Operating licences

These licences will authorise individuals and companies to provide specified types of gambling or gambling facilities.

Types of licence which may be issued are:-

- Casino operating licence
- Bingo operating licence
- General betting operating licence
- Pool betting operating licence (such as the Tote)
- Betting intermediary operating licence
- Gaming machine general operating licence (for adult gaming centre or family entertainment centre)
- Gaming machine technical operating licence (for machine manufacturers)
- Gambling software operating licence
- Lottery operating licence

Operating licences will last indefinitely and are not transferable.

Further information on operating licences can be obtained from the Gambling Commission.

www.gamblingcommission.gov.uk

3.1.2 Personal licences

It is a mandatory condition of an operating licence that at least one person holds a management office and that person must hold a personal licence. The purpose of the personal licence is to ensure that individuals who control gambling facilities are fit and proper persons.

Personal licences last indefinitely and are not transferable.

Further information on operating licences can be obtained from the Gambling Commission.

www.gamblingcommission.gov.uk

3.2 Licences, permits and registrations administered by the licensing authority

3.2.1.Premises licence

Premises licenses are granted for the following facilities:-

- Casinos
- Bingo halls
- Betting premises (including betting shops and betting tracks)
- Adult gaming centres (category B3, B4, C and D gaming machines)
- Family entertainment centres (category C and D gaming machines)

Premises licences may only be granted to a person who is over 18 who has (or has applied for) an operating licence and who has the right to occupy the premises for which the licence is applied.

A premises licence lasts indefinitely, **however an annual fee is payable to the licensing authority**. A premises licence may not be granted for a road vehicle, train, aircraft, seaplane or amphibious vehicle but may be granted for a vessel on an inland waterway.

3.2.2. Permits

These are issued for the following lower risk gambling activities :-

- Prize gaming
- Unlicensed family entertainment centres
- Gaming machines in pubs
- Club gaming permits and club machine permits

3.2.3 Registrations

Organisations who run small society lotteries must register with the licensing authority

4.0 Licensing policy

S349 of the Gambling act requires a licensing authority to prepare and publish a gambling policy statement explaining how the authority will carry out its licensing functions. The current statement for Wyre Council can be downloaded from the council's website at www.wyre.gov.uk

5.0 Responsible authorities and interested parties

The gambling act establishes two groups of persons who can make representations about some types of applications. These are responsible authorities and interested parties.

Responsible authorities (see appendix 2 for contact details)

The act defines responsible authorities as:-

- A licensing authority
- The Gambling Commission
- Police
- Fire and Rescue Service
- Local planning authority
- An authority that has functions in relation to pollution of the environment and health and safety
- A body responsible for the protection of children from harm
- HM Customs and Revenue
- Any other person prescribed by regulations.

Interested parties

For a person to be regarded as an interested party, they must:

- Live sufficiently close to the premises to be likely to be affected by the authorised activities, or
- Have business interests that might be affected by the authorised activities, or
- Represent persons in either of the above groups.

Further information on interested parties can be found at paragraph 7.5 of the gambling policy statement.

Responsible authorities and interested parties may make representations about an application for a premises licence. Representations must relate to one or more of the licensing objectives and not be “frivolous or vexatious”. If a valid representation is received, the licensing authority must hold a hearing to determine the application.

6.0 Gaming machines

Gaming machines will continue to be located in the following premises:

- Adult gaming centres
- Licensed family entertainment centres
- Unlicensed family entertainment centres
- Bingo halls
- Betting shops
- Casinos
- Tracks
- Premises with a licensed bar (except where the licence requires food to also be provided)
- Clubs
- Travelling fairs

Under the gambling act gaming machines will no longer be allowed in premises such as chip shops, cafes and taxi offices. Machines which do not fall within the definition of 'gaming machines' because an element of skill is involved in winning a prize, will continue to be permitted in such premises.

The gambling act defines four categories of gaming machines A, B, C, and D with category B being further divided into sub categories. Machines are categorised according to the maximum amount that can be paid to play them and the maximum prize they can deliver.

Regulations under the act also states the category and number of machines may be placed in different classes of gambling premises. These are:

| Category of machine | Maximum “stake” | Maximum prize |
|----------------------------|-----------------|------------------------|
| A | Unlimited | Unlimited |
| B1 | £5 | £10,000 |
| B2 | £100 | £500 |
| B3 or B3A | £2 | £500 |
| B4 | £2 | £400 |
| C | £1 | £100 |
| D Money prize | 10p | £5 |
| D Non-money prize | 30p | £8 |
| D Combined non coin pusher | 10p | £8 (Max £5 money) |
| D Crane grab (non-money) | £1 | £50 |
| D Combined coin pusher | 20p | £20 (max £10 money) |

| Premise type | Machine category | | | | | | |
|--|--|---|--|--|---|---|----------------------------------|
| | A | B1 | B2 | B3 | B4 | C | D |
| Regional casino (table/ machine ratio of 25-1 up to maximum) | Maximum of 1250 machines Any combination of machines in categories A to D, within the total limit of 1250 (subject to table ratio) | | | | | | |
| Large casino (table/ machine ratio of 5-1 up to maximum) | | Maximum of 150 machines. Any combination of machines in categories B to D, within the total limit of 150 (subject to table ratio) | | | | | |
| Small casino (table/ machine ratio of 2-1 up to maximum) | | Maximum of 80 machines. Any combination of machines in categories B to D, within the total limit of 80 (subject to table ratio) | | | | | |
| Pre-2005 act casinos (no table/ machine ratio) | | Maximum of 20 machines categories B to D or C or D machines instead | | | | | |
| Betting premises and tracks occupied by Pool Betting | | | Maximum of 4 machines categories B2 to D | | | | |
| Bingo premises | | | | Maximum of 4 machines in category B3 or B4 | | No limit C or D machines | |
| Adult gaming centre | | | | Maximum of 4 machines in category B3 or B4 or 20% of the total number of machines | | No limit C or D machines | |
| Licensed family entertainment | | | | | | No limit on category C or D machines | |
| Family entertainment centre with permit | | | | | | No limit on category D machines | |
| Clubs or miners welfare institutes | | | | | Maximum of 3 machines in categories B3A or B4 to D | | |
| Qualifying alcohol licensed premises | | | | | | 1 or 2 machines of category C or D automatic on notification | |
| Qualifying alcohol licensed premises(with gaming machine permit) | | | | | | Number as specified on permit | |
| Travelling fair | | | | | | | No limit of cat.D Machines |

7.0 Licence conditions

The act provides for conditions to be attached to premises licences. The legislation provides for three types of licence conditions:

- Mandatory conditions – imposed by the secretary of state
- Default conditions issued by the secretary of state. These are the conditions which would normally be attached to a licence but can be altered or removed in certain circumstances.
- Conditions attached by a licensing authority after a hearing.

A summary of mandatory and default conditions can be viewed in appendix 1.

8.0 Fees

Fees for premises licences and for the variation of licences have been determined by the licensing authority whereas the fees for permits are determined by central government.

In addition to the application fee all premises licences will be subject to an annual fee. The annual fee is payable on the anniversary of the effective date of grant of the licence, however the first annual fee is due within 30 days of the grant of a premises licence.

Failure to pay the first or subsequent annual fee will result in revocation of the licence. The initial grant letter will state the payment date for the first fee, all other requests will be invoiced to the holder of the premises licence. A list of current fees can be obtained from the licensing department.

9.0 Applying for a premises licence

Applicants applying for a premises must also apply for an operating licence and personal licences from the Gambling Commission. Details of these licences can be obtained from the Commission's website (www.gamblingcommission.gov.uk)

The application will consist of:

- The application made on the prescribed form
- A scale plan of the premises,
- The application fee, check with the licensing department for the current fee

An applicant must also

- Advertise the application in a local newspaper within 10 working days of submitting the application
- Send a notice of application to all the responsible authorities (see appendix 2)
- Display a notice at the premises for 28 consecutive days.

Responsible authorities and interested parties may make representations about an application. If such representations are received, the application will be determined at a hearing by the licensing committee.

9.1 Plans

The plan submitted with the application must be to scale and indicate the following:

All applications:

- The extent of the boundary of perimeter of the premises
- Where the premises include, or consist of, one or more buildings, the location of any external or internal walls.
- Where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises.
- The location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exits leads

In addition to the above plans must also show:

In the case of adult gaming centres:

- The location and extent of any part of the premises in which gaming machines will be available.

In the case of family entertainment centres:

- The location and extent of any part of the premises in which category C machines are located
- The location and extent of any part of the premises in which category D machines are located
- The nature and location of any barrier or other thing separating any part of the premises in which category C gaming machines will be made available for use from any other part of the premises.

In the case of bingo premises to which children or young persons will have access :

- The part(s) of the premises where category B and/or C gaming machines are located.
- Any part(s) of the premises which will be used for gaming (other than those parts which are used for category B and/or C gaming machines)
- The nature and location of any barrier separating the area containing category B and/or C gaming machines from other parts of the premises used for gaming purposes.

In the case of betting premises (other than a track):

- The location and extent of any part of the premises which will be used to provide facilities for gambling.

9.2 Advertising

All applications for premises licences must be advertised as follows:

- by giving a notice of application on the prescribed form to all the responsible authorities within seven days of submitting the application.
- by publishing a notice of the application in a local newspaper or, if there is none, a local newsletter, circular of something similar on at least one occasion within a period of 10 working days starting on the day after the application is submitted.
- by displaying a notice at the premises in a place where it can be conveniently read from the exterior of the premises for a period of not less than 28 consecutive days starting on the day on which the application is submitted.

The licensing authority will not be able to determine an application if these requirements are not complied with. A responsible authority or an interested party may make a representation about an application within 28 days after the application has been made to the licensing authority.

10.0 Application forms

Application forms relating to matters administered by the council as the licensing authority under the gambling act can be downloaded from the licensing services page on the councils website at www.wyre.gov.uk

11.0 Bingo clubs

11.1 New bingo clubs

To operate a bingo club you will need:

- an operating from the Gambling Commission
- any personal licences appropriate to your business - apply to the Gambling Commission.
- a premises licence – from the licensing authority

In general, the only default condition that will apply to premises licences will relate to gambling hours. For bingo clubs, the default hours proposed for playing bingo on the premises are 09.00 to midnight every day.

A bingo premises licence will authorise a maximum of 4 category B3 or B4 gaming machines and unlimited category C and D machines to be available on the premises

11.2 Remote bingo operating licence

If you make linked bingo, handheld bingo terminals or automated bingo terminals available to customers, you will also need to obtain an ancillary remote bingo operating licence from the Gambling Commission.

12.0 Betting shops

12.1 New betting shops

To operate a betting shop you will need:

- an operating from the Gambling Commission
- any personal licences appropriate to your business - apply to the Gambling Commission.
- a premises licence – from the licensing authority

In general, the only default condition that will apply to premises licences will relate to gambling hours. For betting shops, the default hours proposed for gambling on the premises are 07.00 to 22.00 every day all year round.

A betting premises licence will authorise a maximum of 4 category B2 to D gaming machines to be available on the premises.

13.0 Adult Gaming Centres (AGC)

To operate a AGC you will need:

- an operating from the Gambling Commission

- any personal licences appropriate to your business - apply to the Gambling Commission.
- a premises licence – from the licensing authority

Adult gaming centres will be able to offer up to four category B3 or B4 gaming machines, in addition to an unlimited number of category C and D gaming machines. They will be strictly for over 18's only, and children will not be allowed in any part of the premises. Should you wish to operate an arcade that admits children you will need a family entertainment centres licence or an unlicensed family entertainment centre permit.

14.0 Licensed Family Entertainment Centres (FEC)

To operate a FEC you will need:

- an operating from the Gambling Commission
- any personal licences appropriate to your business - apply to the Gambling Commission.
- a premises licence – from the licensing authority

Licensed family entertainment centres will be able to offer an unlimited number of category C and D gaming machines. Children will be allowed to enter licensed family entertainment centres and to gamble on category D machines. Any category C machines must be located only in over-18 areas.

Should you wish to **only** provide category D gaming machines, you will need a permit to be an unlicensed family entertainment centre (see below).

15.0 Permits

The licensing authority is also responsible for the issue of a number of permits. These are :

- Prize gaming
- Unlicensed family entertainment centres
- Gaming machines in pubs
- Club gaming permits and club machine permits

Permit holders will **not** require operating or personal licences from the Gambling Commission.

15.1 Prize gaming permits

Prize gaming is gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The operator must determine the prize before play commences.

Prize gaming may take place without a permit in licensed bingo premises and casinos.

Likewise prize gaming may be provided in adult gaming centres and licensed family entertainment centres. However prize gaming in these types of premises must meet conditions, namely:

- the limits on participation fees, as set out in regulations must be complied with *;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day;
- the game must be played and completed on the day the chances are allocated;
- the results of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set in regulations*

* *The Gambling Act 2005 (limits on prize gaming) Regulations 2007*

Unlicensed family entertainment centres offer equal chance prize gaming under the auspices of their gaming machine permit, without the need for a prize gaming permit.

Children and young persons may participate in equal chance gaming only.

Prize gaming permits cannot be issued for premises that hold premises licences or a club gaming permit.

The fee for a prize gaming permit is set by regulation at £300. Permits last for 10 years and are not subject to an annual fee.

15.2 Unlicensed family entertainment centres

Unlicensed family entertainment centres offer an unlimited number of category D gaming machines. Children will have free access and be allowed to gamble on the category D machines.

The applicant for an unlicensed FEC (UFEC) must occupy or plan to occupy the premises and must be 18 or over. Permits cannot be issued for vessels or vehicles.

Permits cannot be issued to premises that already hold licences under the gambling act.

In determining whether or not to grant an application the licensing authority will take account of the councils statement of licensing policy and will also consult with the Chief Officer of Police.

The fee for an unlicensed family entertainment centre permit is £300. Permits are valid for 10 years and there is no annual fee payable.

15.2.1 Renewal of permits

Applications to renew unlicensed family entertainment permits must be made during the period six months before the permit expires and ending two months before it expires. The procedure for renewing a licence is the same as an application for a new one.

15.3 Licensed Premises Gaming Machine Permit (LPGMP)

Premises with the benefit of a premises licence under the Licensing Act 2003 which enables them to sell alcohol may have category C or D gaming machines installed. It is important to note that this provision relates to premises with a Licensing Act 2003 on-premises alcohol licence, that serve alcohol without the requirement that it be accompanied by food. Restaurants and hotels which have conditions on their premises licences requiring that alcohol can only be served with food are not permitted to have gaming machines on the premises.

A permit is only required where the number of machines on the premises exceed two.

Pubs and other licensed premises which want to offer more than two gaming machines will need to apply to Wyre Council for a licensed premises gaming machine permit.

There fee for a permit is £150 for a new licensed premises gaming machine permit, which will need to be enclosed with the application. The permit will be of unlimited duration, however holders of this permit will be required to pay an annual fee of £50 to Wyre Borough Council. If the PLH changes the permit may be transferred to the new PLH.

15.3.1 Premises with up to two gaming machines

Pubs and other licensed premises will have an automatic entitlement to two gaming machines, subject to a simple notification procedure. It is a requirement, however, that you complete a notification form and forward it to Wyre Council notifying us of your intention to make one or two category C or D gaming machines available on the premises, in accordance with the automatic entitlement.

There will be a fee for this procedure (£50), which will need to be enclosed with the notification. The automatic entitlement will be of unlimited duration and there is no annual fee. These are not transferable. If the premises licence holder changes a new notification must be applied for.

15.4 Club gaming permit and club machine permits

Club gaming permits can only be granted to members clubs and minors welfare institutes (but not commercial clubs).

Club Gaming machine permits can be issued to members clubs and miners welfare institutes and also commercial clubs.

Both permits will entitle members clubs to offer up to a maximum of three category B4, C or D gaming machines plus facilities for equal chance gaming (subject to certain limits).

Club gaming permits also allow gambling by way of such games that are prescribed in the relevant regulations. To date only two games that have been prescribed are pontoon and chemin de fer.

Permits will remain valid for 10 years unless they have been obtained using the fast track procedure described below. In these cases the permit remains valid indefinitely unless they cease to hold a club premises certificate under the Licensing Act 2003.

15.4.1 Applications

A copy of any club permit the application must also be sent within seven days to the Chief Officer of Police and the Gambling Commission. These organisations can raise an objection to the issue of a permit within 28 days of the application. In such cases the matter will be determined at a hearing before the licensing committee.

However in the case of a club which also has the benefit of a club premises certificate under Section 72 of the Licensing Act 2003 a fast track application is possible. Under the fast track procedure there is no opportunity for objections to be made by the police or the commission and the grounds for refusing an application are reduced. Clubs who hold certificates under the 2003 act therefore do not need to send copies to the police or the Gambling Commission.

Applications for new permit will also be subject to a fee, of £200, unless the premises applying were registered under part 2 or part 3 of the Gaming Act 1968 when the gambling act came into force in which case the fee is £100. The permits will last for 10 years, a renewal fee will then apply at the end of that period. An annual fee of £50 is payable within 30 days of the issue of the permit. Thereafter the annual fee must be paid before the anniversary of the issue of the permit.

Fast track Applications (all those clubs who hold a club premises certificate)

Clubs who have the benefit of a club premises certificate under the provisions of the Licensing Act 2003 can take advantage of a fast track procedure to obtain a club premises or club machine permit. Under this fast track arrangement it is not necessary to send copies of the application to the police or the Gambling Commission. No objections can be raised by these organisations. The fee for a fast

track application is £100 and the permit remains valid as long as the club premises certificate is held. There is an annual fee to pay which is £50, the first being due within 30 days of the issue of the permit and subsequently every year on the anniversary of the permit being issued.

16.0 Temporary use notices

A Temporary Use Notice (TUN) allows a premises to be used for gambling purposes on a temporary basis where there is no premises licence in force. A TUN may only be granted to a person or company holding a relevant operating licence issued by the Gambling Commission. A premises may be used under a TUN for a maximum of 21 days in any calendar year. The notice must be given to the licensing authority at least three months and one day before the event takes place. A copy of the notice must be sent to the following, who have 14 days to object:

- The Gambling Commission;
- The Police, and
- HM Customs and Revenue.

17.0 Occasional use notices

An occasional use notice can be used to permit betting on a track where this does not exceed more than eight days in a calendar year.

18.0 Exemptions

The act provides a number of exemptions for certain betting and gaming activities.

Private gaming

Gaming is private gaming when:

- It is equal chance gaming.
- No charge is made for participation, and
- The gaming is conducted in private (such as in a place to which the public do not have access.)

Private betting

The act provides for two types of private betting;

- Domestic betting (such as in a person's own home) and
- Workers' betting (such as between persons who all work for the same employer – this would cover, for example workers' sweepstakes).

Non-commercial gaming

Generally, gaming where the proceeds of the event are not used for private gain (for example for a charity or other 'good cause') will not require a licence. Non-commercial gaming is subject to the following conditions:

- All players must be informed that the purpose of the gaming is to raise money for a purpose other than private gain.
- Profits from the gaming must be applied for a purpose other than private gain.
- The event must not take place on a premises which has a premises licence or is being used under a temporary use notice, and
- The gaming must not be remote gaming.

Non-commercial betting

The act allows alcohol licensed premises (pubs and clubs) to provide certain forms of low level gaming without the requirement for a licence or permit. NB only premises which have a bar at which alcohol is served for consumption on the premises without a requirement for it to be served only with food will be eligible for this exemption. This will exclude places like restaurants, off licences etc.

Bingo

Pubs and clubs are permitted to conduct low turnover bingo without the need for a prize gaming permit. To qualify a low turnover bingo, the total value of the stakes or prizes must not exceed £2,000 in any seven day period. Above this limit, bingo becomes high turnover bingo and requires an operating licence from the Gambling Commission plus a premises licence from the licensing authority.

Gaming

Gaming facilities may be provided in pubs and clubs subject to the following conditions.

- Facilities must be for equal chance gaming only;
- Stakes and prizes must not exceed any limits set by regulations;
- No amount may be deducted from amounts staked or won;
- No fees may be charged to participate;
- Gaming must not take place on more than one set of premises;
- Children under 18 must not participate.

19.0 Contact details

Contact details for Wyre Council licensing department

The Licensing Department

Wyre Council
Licensing Manager
Civic Centre
Breck Road
Poulton le Fylde
Lancashire
FY6 7PU
Tel: 01253 891000

Website- www.wyre.gov.uk

Email- licensing@wyre.gov.uk

Appendix 1

Summary of mandatory and default conditions

The following mandatory conditions will apply to all gambling premises licences:

- A summary of the terms and conditions of the premises licence shall be displayed in a prominent place within the premises.
- The layout of the premises shall be maintained in accordance with the plan.
- The premises will not be used for:
 - The sale of tickets in a private or customer lottery
 - The sale of National Lottery tickets

Bingo Premises

Licences Mandatory

Conditions

1 A notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises.

2 No customer shall be able to enter the premises directly from any other premises in respect of which one of the following permissions has effect:

- a casino premises licence
- an adult gaming centre premises licence
- a betting premises licence other than a track premises licence

3 Where children or young persons or both are permitted by the licence holder to enter the premises, and category B or C gaming machines are made available for use on the premises, any area of the premises to which category B and C gaming machines are located:

- shall be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for the purpose;
- shall be supervised at all times to ensure children or young persons or both do not enter the area; and
- shall be arranged in such a way that ensures all parts of the area can be observed by the persons mentioned in sub-paragraph (3).

The reference to supervision in this condition means supervision by:

- one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or
- closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.

4 A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which category B or C gaming machines are made available for use.

5 Where a charge for admission to the premises, a notice of that charge shall be displayed in a prominent place at the principal entrance to the premises.

6 In the case of any other charges in respect of gaming, a notice setting out the information in sub-paragraph (3) shall be displayed at the main point where payment for the charge is to be made.

The notice referred to in this condition shall include the following information:

- the cost (in money) of each game card (or set of game cards) payable by an individual in respect of a game of bingo;
- in respect of each game card (or set of game cards) referred to in paragraph (a) the amount that will be charged by way of a participation fee for entitlement to participate in that game; and
- a statement to the effect that all or part of the participation fee may be waived at the discretion of the person charging it.

The notice may be displayed in electronic form.

A reference in this paragraph to a charge in respect of gaming does not include an amount paid for an opportunity to win one or more prizes in gaming to which section 288 of the 2005 act (meaning of 'prize gaming') applies.

7 The rules of each type of game that is available to be played the premises other than games played on gaming machines shall be made available to customers within the premises. This may be satisfied by:

- displaying a sign setting out the rules,
- making available leaflets or other written material containing the rules, or
- running an audio-visual guide to the rules prior to any bingo game being commenced.

8. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

Default condition

1. Subject to paragraph 2, no facilities for gambling shall be provided on the premises between the hours of midnight and 9am. This condition shall not apply to making gaming machines available for use.

Adult gaming centre

Mandatory conditions

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2. No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under part 8 of the Gambling Act 2005, or a permit issued under schedule 10, 12 or 13 to the act, has effect.

3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.

4. No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises. A notice to this effect shall be displayed in a prominent place at every entrance to the premises.

Default conditions

None

Family entertainment centre

Mandatory conditions

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect:

- a casino premises licence;
- an adult gaming centre premises licence;

- a betting premises licence other than a track premises licence.

2. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.

3. Where category C gaming machines are made available for use on the premises, any area of the premises in which those machines are located:

- shall be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for the purpose;
- shall be supervised at all times to ensure children or young persons or both do not enter the area; and
- shall be arranged in such a way so as to permit all parts of the area to be supervised

The reference to supervision in this condition means supervision by:

- one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or
- closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.

4. A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which category C gaming machines are made available for use.

5. No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises and a notice to this effect shall be displayed in a prominent place at every entrance to the premises.

Betting premises licence

Mandatory conditions

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2. Access to the premises shall be from a street or from other premises with a betting premises licence.

3. There shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services.

4. Subject to anything permitted by virtue of the Gambling 2005 Act, or done in accordance with conditions 5, 6, 7 and 8 below, the premises shall not be used for any purpose other than for providing facilities for betting.

5. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.

6. No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes:

- Communicating information about, or coverage of, sporting events, including information relating to betting on such an event; and
- Any other matter or information, including an advertisement, which is incidental to such an event;
- Communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.

7. No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises.

8. No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with condition 6.

9. No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises. A notice to this effect shall be displayed in a prominent place at every entrance to the premises.

10. A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

Default condition

1. No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

Appendix 2

List of responsible authorities

Notice of application must be sent to the following when submitting a new or varied application

| | |
|--|--|
| <p>1. The Gambling Commission</p> | <p>5. Planning Department</p> |
| <p>Victoria Square House Victoria Square Birmingham B2 4BP</p> | <p>Planning Services Manager Wyre Council Civic Centre Breck Road Poulton le Fylde Lancashire FY6 7PU</p> |
| <p>2. H M Revenue and Customs</p> | <p>6. Pollution Control Department</p> |
| <p>National Registration Unit (Betting & Gaming) Portcullis House 21 India Street Glasgow G2 4PZ Tel: 0141 555 3633</p> | <p>Senior Environmental Health Officer Wyre Council Civic Centre Breck Road Poulton le Fylde Lancashire FY6 7PU</p> |
| <p>3. Police</p> | <p>7. Protection of vulnerable persons</p> |
| <p>The Chief Constable Lancashire Constabulary Licensing Unit Western Division HQ Bonny Street Blackpool FY1 5RL</p> | <p>Mr Paul Jenkins, Lancashire Safeguarding Children's Board Manager Lancashire County Council County Hall Preston Lancs PR1 8XJ</p> |
| <p>4. Fire Authority</p> | |
| <p>Fire Prevention Officer Lancashire Fire and Rescue Fleetwood Fire Station Radcliffe Road Fleetwood Lancashire FY7 6UJ</p> | |

| Premises licences | New application | Annual fee | Provisional statement new | Premises licence fee for holders of Provisional statements | Variation fee | Transfer fee | Reinstatement of licence | Copy licence | Notification of change |
|-------------------------------|-----------------|------------|---------------------------|--|---------------|--------------|--------------------------|--------------|------------------------|
| Betting | £2,365.00 | £600.00 | £2,365.00 | £1,125.00 | £1,465.00 | £745.00 | £1,180.00 | £25.00 | £50.00 |
| Bingo premises licence | £2,365.00 | £1,000.00 | £2,365.00 | £1,125.00 | £1,465.00 | £745.00 | £1,180.00 | £25.00 | £50.00 |
| FEC | £2,000.00 | £750.00 | £2,000.00 | £950.00 | £1,000.00 | £745.00 | £950.00 | £25.00 | £50.00 |
| AGC | £2,000.00 | £1,000.00 | £2,000.00 | £1,125.00 | £1,000.00 | £745.00 | £1,180.00 | £25.00 | £50.00 |
| Tracks | £2,365.00 | £950.00 | £2,365.00 | £1,125.00 | £1,250.00 | £745.00 | £950.00 | £25.00 | £50.00 |

| Permits | New application | Annual fee | Variation | Transfer | Renewal | Change of name | Copy permit |
|--|-----------------|------------|-----------|----------|---------|----------------|-------------|
| Licensed premises gaming machine permit (three or more machines) | £150.00 | £50.00 | £100.00 | £25.00 | | | £15.00 |
| Club gaming permit (fastrack) | £100.00 | £50.00 | £100.00 | | | | £15.00 |
| Club machine permit (fastrack) | £100.00 | £50.00 | £100.00 | | | | £15.00 |
| Prize gaming permit | £300.00 | | | | £300.00 | £25.00 | £15.00 |
| Family entertainment centre permit (UFEC) | £300.00 | | | | £300.00 | £25.00 | £15.00 |
| Licensed premises notification (one or two machines) | £50.00 | | | | | | |
| Small society lottery | £40.00 | £20.00 | | | | | |