

TENDRING DISTRICT COUNCIL



**NOTIFICATION OF 2 OR LESS GAMING MACHINES OR  
GAMING MACHINE PERMIT APPLICATIONS  
(I.E. FOR GREATER THAN 2 MACHINES) FOR:**

**CONVERSION/NEW/VARIATION/TRANSFER**

**(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR  
CONSUMPTION ON THE PREMISES)**

**SECTION A - WHAT DO YOU WANT TO DO?**

1. Please indicate what you would like to do:
- a) Notify licensing authority that you intend to provide up to a maximum total of 2 gaming machines category C and/or D  
*(if you choose this option then please complete Sections D and E)*
  - b) Apply to convert an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit  
*(i.e. for more than 2 gaming machines)*  
*(if you choose this option then please complete Sections B, D and E)*
  - c) Apply for Licensed Premises Gaming Machine Permit  
*(if you choose this option then please complete Sections B, D and E)*
  - d) Apply to transfer an existing Licensed Premises Gaming Machine Permit  
*(if you choose this option then please complete Sections C, D and E)*
  - e) Apply to Vary an existing Licensed Premises Gaming Machine Permit  
*(if you choose this option then please complete Sections B, D and E)*

**SECTION B - APPLICATION FOR GRANT (INCLUDES CONVERSION, NEW AND VARIATION APPLICATIONS)**

2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provide?  
*(Please complete the table below)*

Category Machine	Number Currently Authorised to Provide	Number wishing to provide (New or Variation Applications)
<b>C</b>		
<b>D</b>		
<b>TOTAL MACHINES</b>		

3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 (Gaming Act 1968) Permit, or provide reasons stating why it cannot be provided

Existing Permit Provided\*

*Reasons why existing permit cannot be provided*

.....

.....

.....

\* Please keep a copy of your existing permit on the premises to which it relates

**SECTION C - APPLICATION FOR PERMIT TRANSFER**

(i.e. where a transfer has been requested for the Licensing Act 2003 premises licence)

4. Name of person requesting the transfer

.....

5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been made:

Requested

Granted

6. Please provide your existing permit, or provide reasons stating why it cannot be provided

Existing Permit Provided

*Reasons why existing permit cannot be provided*

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.....

**SECTION D - GENERAL INFORMATION**

7. Name of Premises

.....

8. Address of Premises

.....  
.....  
.....

9. Telephone Number of Premises .....

10. Name of Existing Premises Licence Holder

.....

11. Address of Existing Premises Licence Holder (if different from 8 above)

.....  
.....  
.....

**SECTION E - FEE AND SIGNATURES**

I enclose a sum of £.....  
*(cheques should be made payable to Tendring District Council)*

In understand that I must comply with the Gaming Machine Code of Practice  
for Alcohol Licensed Premise Permits and Permissions issued by the Gambling Commission  
*(See guidance note 8)*

**Please note: It is an offence under Section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.**

**Dated:** .....

**Signed:** .....  
*(by or on behalf of Licensing Act 2003 Premises Licence Holder)*

**Print Name:** .....

## Guidance Notes

1. This form is to be used for **Notification of up to 2 gaming machines** of categories C and / or D under Section 282 of the Gambling Act 2005, or for the **conversion of an existing Section 34** gaming machine permit under the Gaming Act 1968, or for a **new application, variation or transfer** of a alcohol licensed premises gaming machine permit under the Gambling Act 2005.
2. The premises must be licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises, without the requirement that alcohol is served only with food and there must be a bar for serving alcohol to customers on the premises.
3. The gaming machines must be located on these licensed premises.
4. A 'Premises Licence holder' is a person holding a Premises Licence under the Licensing Act 2003.
5. There is no statutory limit to the number of machines which may be applied for although the licensing authority has some discretion in this regard. It should also be noted that the licensing authority can cancel the permit or vary the number of machines should the premises be mainly used for making gaming machines available for use on the premises (Schedule 13 paragraph 16 Gambling Act 2005). You may therefore wish to contact the licensing authority to ask whether there is a local policy as regards applications and whether application for certain numbers of machines are decided via a hearing of local councillors.
6. The permit's duration is indefinite as it is linked to the Licensing Act 2003 Premises Licence. There is a first annual fee payable 30 days after the permit comes into effect and an annual fee payable after that before each anniversary of the date of issue of the permit. Failure to pay the annual fee may result in the cancellation of the permit. The annual fee is £50. There are no annual fees payable for 2 machines or less.
7. Sections 282 and 283, as well as SI 2007 / 1832. of the Gambling Act 2005 provide for two types of gaming machines which can be located in alcohol licensed premises. These are:
  - Category C: Maximum stake = 50p / Maximum prize = £35
  - Category D: Maximum stake = 10p or 30p non-monetary / Maximum prize = £5 cash or £8 non-monetary
8. **All alcohol licensed premises which provide gaming machines for use on the premises must comply with any relevant Code of Practice issued by the Gambling Commission under Section 24 of the Gambling Act 2005 and also any matters raised in the Licensing Authorities Statement of Licensing Principles (see appendix 1).** The Gaming Machine Code of Practice for Alcohol licensed premises permits and permissions is available via the Gambling Commission's website at: <http://www.gamblingcommission.gov.uk/>. Should you be unclear as to the provisions of the code of practice please contact the Gambling Commission or your local Council's licensing service.
9. This licensing authority must notify the applicant of its grant / refusal of the application for a permit as soon as is reasonable practicable after that decision to grant / refuse has been made.
10. Where you are notifying the local licensing authority of 2 machines or less, you may wish to request an acknowledgement of receipt of the notification. The form attached to this application can be utilised for this purpose.

## **(ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS**

*There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines, of Categories C and/or D. The Premises Licence holder needs to notify the Licensing Authority at least two months prior to the date of expiry of the current permit.*

*Gaming machines can only be located on licensed premises that have a bar for serving customers.*

*Premises restricted to selling alcohol only with food, will not be able to apply for a Permit.*

*Where an application for more than two gaming machines is received, the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm, or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only machines. Measures will cover such issues as:-*

- Adult machines being in sight of the bar;*
- Adult machines being in sight of staff who will monitor that the machines are not being used by those under 18;*
- Appropriate notices and signage; and*
- As regards the protection of vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information, leaflets/help line numbers for organisations such as GameCare.*

*The Licensing Authority can decide to grant an application with a smaller number of machines and/or a different category of machines than that applied for but conditions other than these cannot be attached.*