

## GAMBLING ACT 2005

# Premises Licence Guidance Notes

## Guidance Fact Sheet

### 1. What is a Gambling Act Premises Licence?

A Premises Licence, issued under the Gambling Act 2005, is required for any premises where it is intended to provide gambling facilities.

The types of Licence available are as follows:

- Casino Premises Licence
- Bingo Premises Licence
- Adult Gaming Centre Premises Licence
- Family Entertainment Centre Premises Licence
- Betting (track) Premises Licence
- Betting (other) Premises Licence – includes betting shops

Except in the case of a track, a Premises Licence may not authorise the use of premises for activities of more than one of the types listed above. A Licence may not be issued in respect of premises if those premises already have a Premises Licence in effect.

In addition some of the above Premises Licences will allow gaming machines to be used on the premises

### 2. Who can apply for a Gambling Act Premises Licence?

An application for a Premises Licence may only be made by persons (which includes companies or partnerships):

- who have the right to occupy the premises; and
- who have an Operating Licence which allows him/her to carry out the proposed activity, or have applied for an Operating Licence (the Premises Licence may only be issued once the Operating Licence has been issued) from the Gambling Commission.

An applicant for a Premises Licence must be over the age of 18.

### 3. How do I make an application?

Applications can be downloaded from [www.cheltenham.gov.uk](http://www.cheltenham.gov.uk) or by ringing the licensing section on 01242 775200.

#### **Serve Application to Licensing Authority**

You must complete an application form, specifying the premises address, applicant details and the times of operation and submit plans of the premises.

You must send the full application and plans to:

The Licensing Section  
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

Tel: 01242 775200  
Fax: 01242 264210  
Email: [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk)

#### **Serve Notice to Responsible Authorities**

You must serve a Notice on the following responsible authorities within 7 days of making your application:

1 The Gambling Commission Victoria Square House, Victoria Square, Birmingham, B2 4BP	Tel: 0121 230 6666 Fax: 0121 233 1096 E-mail: <a href="mailto:info@gamblingcommission.gov.uk">info@gamblingcommission.gov.uk</a>
2 H M Revenue & Customs National Registration Unit (Betting & Gaming), Portcullis House, 21 India Street, Glasgow, G2 4PZ	Tel: 0141 555 3633 Fax: 0141 555 3506 Email: <a href="mailto:nu.betting&amp;gaming@hmrc.gsi.gov.uk">nu.betting&amp;gaming@hmrc.gsi.gov.uk</a>
3 PC Andy Cook Licensing Dept Gloucestershire Constabulary Cheltenham Police Station Talbot House Lansdown Road Cheltenham GL51 6QT	Tel: 01242 276334 Fax: 01242 573591 Email: <a href="mailto:Licensing-Cheltenham&amp;Tewkesbury@Gloucestershire.Police.uk">Licensing-Cheltenham&amp;Tewkesbury@Gloucestershire.Police.uk</a>

<p>4 Gloucestershire Fire and Rescue Service Fire Service HQ, Waterwells Drive, Quedgeley Gloucester GL2 2AX</p>	<p>Tel: 01452 753333 Fax: 01452 753304 Email: <a href="mailto:fire.safety@glosfire.gov.uk">fire.safety@glosfire.gov.uk</a></p>
<p>5 Development Control Manager Built Environment Division Cheltenham Borough Council PO Box 12 Municipal Offices Promenade Cheltenham GL50 1PP</p>	<p>Tel: 01242 264138 Fax: 01242 227323 Email: <a href="mailto:robert.lindsey@cheltenham.gov.uk">robert.lindsey@cheltenham.gov.uk</a></p>
<p>6 Environmental Health Section Cheltenham Borough Council Programmed Services Public Protection Division Municipal Offices Promenade Cheltenham GL50 1PP</p>	<p>Tel: 01242 775020 Fax: 01242 264210 Email: <a href="mailto:worksafety@cheltenham.gov.uk">worksafety@cheltenham.gov.uk</a></p>
<p>7 Safeguarding Children Manager Gloucestershire Safeguarding Children Board Safeguarding Children Service Children and Young People's Directorate Gloucestershire County Council Eastgate House – 3<sup>rd</sup> Floor 121-131 Eastgate Street Gloucester GL1 1PX</p>	<p>Tel: 01242 583636 Fax: 01452 546922 Email: <a href="mailto:duncan.siret@gloucestershire.co.uk">duncan.siret@gloucestershire.co.uk</a></p>

### **Publish Notice of the Application**

You must then place a notice;

(a) in a local newspaper or, if there is none, a local newsletter, circular or similar document, circulating within the area on at least one occasion during the period of ten working days starting with the day after the day on which the application is made to us;

**And**

- (b) by displaying a notice on the premises to which the application relates:
  - (i) in a place at which it can conveniently be read by members of the public from the exterior of the premises;
  - (ii) for a period of no less than 28 consecutive days starting on the day on which the application is made to us.

**This notice must be printed on light blue paper**

#### **4. What do the plans have to show?**

All plans must be to scale and have to show:

- (a) the extent of the boundary or perimeter of the premises;
- (b) where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building;
- (c) 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;
- (d) where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises;
- (e) 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 exit leads.

**Premises Licences with the below activities also have to show the following additional items:**

##### **Bingo**

- (a) the location and extent of any part of the premises which will be used to provide facilities for gaming in reliance on the Licence (other than those parts which include Category B or C gaming machines);
- (b) the location and extent of any part of the premises in which Category B or C gaming machines will be made available for use in reliance on the Licence;
- (c) the nature and location of any barrier or other thing separating any part of the premises in which Category B or C gaming machines will be made available for use from any other part of the premises.

##### **Adult Gaming Centre**

- (a) the location and extent of any part of the premises in which gaming machines will be made available for use in reliance on the Licence.

##### **Family Entertainment Centre**

- (a) the location and extent of any part of the premises in which Category C gaming machines will be made available for use in reliance on the Licence;
- (b) the location and extent of any part of the premises in which Category D gaming machines will be made available for use in reliance on the Licence; and
- (c) 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.

**Betting (other than a track)**

- (a) the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the Licence.

**Betting (in respect of a track)**

- a) the location and extent of any part of the premises which is a five times rule betting area;
- (b) the location and extent of any other parts of the premises which will be used for providing facilities for betting in reliance on the Licence;
- (c) the location and extent of any part of the premises in which Category B or C gaming machines will be made available for use in reliance on the Licence;
- (d) the nature and location of any barrier or other thing separating any part of the premises in which Category B or C gaming machines will be made available for use from any other part of the premises.

**5. What are the application fees?**

Premises Type	Application £	Annual Fee £
Bingo Club	2450	700
Betting Premises (excluding Tracks)	2100	420
Tracks	1750	700
Family Entertainment Centres	1400	525
Adult Gaming Centre	1400	700

A full list of the Gambling Act Fees can be downloaded from Cheltenham Borough Council's website, [www.cheltenham.gov.uk](http://www.cheltenham.gov.uk) or by ringing the Licensing Section on 01242 775200.

**6. When do I need to pay my annual fee?**

A Premises Licence will be of unlimited duration. You will not need to apply again unless your circumstances change. You will, however, be required to pay an annual fee in respect of your premises.

Where a Licence comes into effect on the date it is issued then the first annual fee for the Licence has to be paid within 30 days after that date.

Where a Licence specifies that it is to come into effect on an effective date then the first annual fee for that Licence shall be paid within:

- (a) within 30 days of the effective date, or
- (b) 12 months, after the issue date, whichever is sooner.

## 7. Do I have to keep my new Licence on the premises?

Yes, the holder of a Premises Licence has to:

- (a) keep the Licence on the premises, and
- (b) arrange for it to be made available on request to:
  - (i) a constable,
  - (ii) an enforcement officer, or
  - (iii) an authorised local authority officer.

It is also a requirement of the Act that the Summary is displayed in a prominent place within the premises.

## 8. How do I get more information?

Contact Cheltenham Borough Council Licensing Section on 01242 775200 or visit our website <http://www.cheltenham.gov.uk> and follow the links from Licensing to Gambling Act 2005.

Contact The Gambling Commission on 0121 230 6666 or visit their website <http://www.gamblingcommission.gov.uk>

Contact the Government's Department for Culture, Media and Sport (DCMS) on 020 7211 6200 or visit their website <http://www.culture.gov.uk> and click on the link for the Gambling Act 2005 under Tourism and Leisure.

### Licensing Section Contact Details

Personal visit to: Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham (by appointment <u>only</u> )	Writing to us at: The Licensing Section, Cheltenham Borough Council, PO Box 12, Municipal Offices, Promenade, Cheltenham GL50 1PP
Email: <a href="mailto:licensing@cheltenham.gov.uk">licensing@cheltenham.gov.uk</a>	Phone: 01242 775200
Website: <a href="http://www.cheltenham.gov.uk">www.cheltenham.gov.uk</a>	Fax: 01242 264210