

### **Licensed Premises Gaming Machine Permit**

Under the Gambling Act 2005 you can apply for a Licensed Premises Gaming Machine Permit

Under the Gambling Act 2005 ("the Act") a Licensed Premises Gaming Machine Permit applies to premises with a Licensing Act 2003 on-premises alcohol licence that also serve alcohol without the requirement that it accompanies food. A pub, restaurant or hotel with a bar will be eligible to apply for this type of permit, but hotels and restaurants that serve alcohol only with food will not.

Section 282 of the Act provides an automatic entitlement to make available two gaming machines (of categories C or D) for use in alcohol licensed premises. To take advantage of this entitlement the Premise Licence Holder, under the Licensing Act 2003, must give notice to us of their intention to make gaming machines available for use, and must pay the prescribed fee.

We may issue Licensed Premises Gaming Machine Permits for any number of Category C or D machines in licensed premises. Where a Permit authorises the making available of a specified number of gaming machines in particular premises, this will effectively replace, and not be in addition to, any automatic entitlement to two machines as described above.

Welwyn Hatfield Borough Council can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and Welwyn Hatfield Borough Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "such matters as they think relevant."

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and most likely be dealt with as an Adult Gaming Centre premises licence.

It should be noted that Welwyn Hatfield Borough Council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

Permit holders are required to comply with the Gambling Commission gaming machine permits codes of practice. Compliance with these provisions is a condition of the Permit, and failure to do so could result in revocation of the Permit.

**There are fees applicable for this process. Please see fees list.**