

Clubs

Types of clubs recognised by the Gambling Act

Members Club

This is a club –

- Established and conducted wholly or mainly for purposes other than the provision of facilities for gaming
- Established and conducted for the benefit of its members (and which is not otherwise established or conducted as a commercial enterprise)
- Which is not established for the purpose of functioning only for a limited period of time, and
- Has at least 25 members

Commercial Club

This is a club –

- Established and conducted wholly or mainly for purposes other than the provision of facilities for gaming
- Which is not established for the purpose of functioning only for a limited period of time
- Has at least 25 members

Miner's Welfare Institute

This is an association created and conducted for social and recreational purposes and –

- Its affairs are managed by a group of individuals of whom at least two thirds are miner's representatives, or
- It operates on premises the use of which is regulated in accordance with a charitable trust and the trust has received money from the Miners Welfare Fund or the Coal Industry Social Welfare Organisation

There are two types of club permits:

Club Machine Permit

This entitles the club to offer up to three gaming machines (see table below). It does not however authorise the provision of any other facilities for gaming.

The Gambling Act attaches the following conditions to a club machine permit:

- Each person to whom a machine is made available for use in reliance on the permit –
 - Is a member of the club who applied for membership, was nominated for membership or became a member at least 48 hours before he uses the machine, or
 - Is a guest of a member of the club who would be entitled to use the machine,
- No child or young person may use a category B or C gaming machine on the clubs premises
- The holder comply with any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine

Club Gaming Permit

This entitles the club to offer up to three gaming machines (see table below) as well as facilities for equal chance gaming (subject to certain limits) and such games as are prescribed.

Members club and miner's welfare institute with club machine permit	Members club and miner's welfare institute with club gaming permit	Commercial club with club machine permit	Category	Maximum stake	Maximum prize
√	√	Not permitted	B3/A	£2	£500
√	√	√	B4	£2	£400
√	√	√	C	£1	£100
√	√	√	D	10p/30p	£5 cash/ £8 prize

Gambling without a club gaming permit

Clubs may allow equal chance gaming without a permit (poker, bingo, whist or bridge).

Requirements in respect of poker

- The amount staked by a person on any game of poker must not exceed £10.00.
- The aggregate of the amounts that may be staked on games of poker in any one day must not exceed £250.00.
- Over a seven day period, the aggregate stakes must not exceed £1000.00.
- The maximum prize that may be won in any game of poker is £250.00

The following rules must also be followed if facilities are provided for equal chance gaming without a permit:

- a) No amount may be deducted or levied from stakes or winnings
- b) Limits on participation fees must be observed
- c) The games played may only take place on one set of premises – there may not be any linking of games between premises
- d) Only members (or their guests) may take part. Members must have applied to join the club at least 48 hours before playing.

Maximum fees – the most anyone can be charged for taking part in whist or bridge is £18.00, but this is when no other gambling facilities are provided by the club on that day. In all other circumstances the maximum fee is £1.00 (£3.00 if it is a commercial club that has a club machine permit).

Gaming with a club gaming permit

Equal chance gaming subject to the rules indicated above may also be offered by clubs holding a club gaming permit. These clubs may also allow pontoon and chemin de fer to be played.

The maximum fees that may be charged are £20.00 for bridge or whist where no other gambling is offered by the club on that day, otherwise £3.00.

The Application Process

A Members Club or Miner's Welfare Institute may apply for a **club gaming permit**

A Members Club, Commercial Club or Miner's Welfare Institute may apply for a **Club Machine Permit**

The application form and fee must be sent to the licensing authority. A copy of the application and any accompanying documents must be sent within 7 days beginning on the date on which the application was made to –

Lancashire Constabulary
Licensing Unit
Bispham Police Station
Red Bank Road
Blackpool
FY2 0HJ

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Where an application is made by the holder of an existing Part II or Part III certificate, the applicant should also attach a copy of this certificate.

The fee is £200.00 except where it is a fast track application (see below), when the fee will be £100.00

Either body may object to the application within 28 days beginning on the date on which the application was made to the licensing authority

The licensing authority shall then consider the application and shall either grant or refuse it.

A licensing authority may refuse an application for a permit only on one or more of the following grounds –

- The applicant is not
 - In the case of an application for a club gaming permit, a member's club or a miner's welfare institute, or
 - In the case of an application for a club machine permit, a member's club, a commercial club or a miner's welfare institute
- The premises on which the applicant conducts its activities are used wholly or mainly by children, young persons, or both
- That an offence, or a breach of condition of a permit, has been committed in the course of gaming activities carried on by the applicant
- That a permit held by the applicant has been cancelled during the period of ten years ending with the date of the application, or
- That an objection to the application has been made

Conditions may not be attached

Duration

A permit shall cease to have effect at the end of the period of ten years beginning with the date on which it is issued unless

- It ceases to have effect before that time, or
- It is renewed.

Fast Track Procedure - For holders of a Club Premises Certificate Only

Where the applicant is already the holder of a club premises certificate issued under the Licensing Act 2003, they can use the fast track procedure.

This means that there is no requirement to send a copy of the application to the Police or Gambling Commission – and so no one can object.

The licensing authority shall grant the permit unless they think –

- That the applicant is established and conducted wholly or mainly for the purposes of the provision of facilities for gambling, other than gambling of a prescribed kind
- That 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 provides facilities for gaming of another kind, or
- That a club gaming permit or club machine permit issued to the applicant has been cancelled during the period of ten years ending with the date of the application,

Duration

A permit issued under the fast track procedure is not time limited, however permit issued under the fast track procedure may cease to have effect if surrendered, cancelled, or forfeited. It will lapse if the club premises certificate on which the application relied ceases to have effect.

Maintenance – applies to fast track and non- fast track applications

The holder of the permit shall keep it on the premises to which it relates

An occupier of premises to which a permit relates commits an offence if without reasonable excuse he fails to produce the permit on request for inspection by a constable or an enforcement officer

The permit holder shall pay a first annual fee (£50.00) 30 days after the permit takes effect and then shall pay an annual fee before each anniversary of the issue of the permit (this does not apply to the anniversary of the issue of the permit immediately before which the permit expires)

If the information contained in a permit ceases to be accurate the holder of the permit shall as soon as is reasonably practicable apply to the licensing authority to have the permit varied. This application must be accompanied by the prescribed fee and the permit (or a statement why it cannot be produced).