



NOTICE UNDER SECTION 39 OF THE GAMBLING ACT 2005

OCCASIONAL USE OF TRACK FOR PURPOSE OF BETTING

(You may wish to read the notes accompanying this form before completing and keep a copy of the completed form for your records)

1. PERSONAL DETAILS (Named person must be (a) responsible for the administration of event on the track, or (b) an occupier of the track)

Title (delete as appropriate): Mr Mrs Miss Ms Other (please state)

Surname

Forenames.....

Address (please include the postal code)

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

2. DETAILS OF TRACK

Address (please include the postal code)

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

Date of Event (occasional use notices may only be granted in respect of a track for a Maximum of 8 days per calendar year)

.....

3. CHECKLIST		Tick
Send a copy of this notice to the Licensing Authority for the area in which the track is located		
Send a copy of this notice to the Chief Officer of Police for the area in which the track is located		
If the track is situated in one or more Licensing Authority areas, send a copy of this notice to each additional Licensing Authority		
If the track is situated in one or more Police areas, send a copy of this notice to each additional Chief Officer of Police		
4. DECLARATION		
<p>The Information contained in this form is correct to my best of knowledge and belief. I understand that it is an offence;</p> <ul style="list-style-type: none"> • Without reasonable excuse to give to the Licensing Authority information which is false or misleading; • To use premises, or causes or permit premises to be used to provide facilities for betting (whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting bets) in contravention of this notice. • A person guilty of either of the above shall be liable on summary conviction to imprisonment not exceeding 51 weeks, a fine not exceeding level 5 on the standard scale or both. • I am a person responsible for the administration of events on the track <input type="checkbox"/> <p><u>OR</u></p> <ul style="list-style-type: none"> • An occupier of the Track <input type="checkbox"/> <p>(tick either or both boxes as appropriate)</p>		
Signature		Date
Name of person signing:		

Please return this form to;
Licensing Department
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

NOTES

Section 37 – Use of Premises

A person commits an offence if he/she uses premises, or causes or permits premises to be used to:

- Provide facilities for betting (whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting bets).

Does not apply in relation to the use of a track by a person for accepting bets if the use is authorized by a premises licence (whether or not held by him/her)

A person guilty of either of the above shall be liable on summary conviction to:

- Imprisonment not exceeding 51 weeks
- A fine not exceeding level 5 on the standard scale, or
- Both

Section 39 – Occasional Use Notice

A person who accept bets on a track, or causes or permits premises to be used for the acceptance of bets, does not commit an offence under section 37 if:

- A notice has been given under this section in respect of the track, and
- The activity is carried out in accordance with the notice.

A notice under this section (an “occasional use notice”) in respect of a track may be given only by a person who is:

- Responsible for the administration of the track, or
- An occupier of the track.

An occasional use notice must:

- Be given in writing to the Licensing Authority for any area which the track is wholly or partly situated, and
- Be copied to the Chief of Police for any area in which the track is wholly or partly situated.

An occasional use notice must specify a day which it has effect.

An occasional use notice may not be given in respect of a track for a day in a calendar year if eight occasional use notices have been given in respect of that track for days in that year.

In this section:

“Chief of Police” has the meaning given by section 101(1) of the Police Act 1996 (c.16)

and

A reference to a chief officer’s area is a reference to the area in respect of which he/she has responsibility under that Act.