



Licensing Section, County Hall, Cross Street, Beverley, East Riding of Yorkshire, HU17 9BA

**NOTICE UNDER SECTION 39 GAMBLING ACT 2005
OCCASIONAL USE OF TRACK FOR THE PURPOSE OF BETTING**

Name
(Named person must be (a) responsible for the administration of event on the track or (b) an occupier of the track)

Address.....
.....
.....

Address of Track
.....
.....
.....

Date of Event
(Occasional use notices may only be granted in respect of a track for a maximum of 8 days per calendar years)

Number of Occasional use notice applied for in respect of this track in current year.....

Checklist – I shall (please mark the appropriate boxes with an X)
Send a copy of this notice to the Licensing Authority for the area in which the track is located (<i>Licensing Department, County Hall, Beverley, East Yorkshire, HU17 9BA</i>)
Send a copy of this notice to the Chief Officer of Police for the area in which the track is located (<i>Humberside Police, Licensing Officers, Sessions House, New walk Road, Beverley HU17 7AF</i>)
If the track is situated in one or more licensing authority areas, send a copy of this notice to each additional licensing authority.
Sign the declaration below

Declaration

The information contained in this form is correct to the best of knowledge and belief
I understand that it is an offence

- (i) Without reasonable excuse to give the licensing authority information which is false or misleading
- (ii) To use premises, cause 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 making or accepting bets) in contravention of this notice.

- (iii) A person guilty of either of the above shall be liable on summary of conviction to imprisonment not exceeding 51 weeks, a fine not exceeding level 5 on the standard scale or both
- (iv) I am a person responsible for

The administration of events on the track

An occupier of the Track

(Tick either boxes or both as appropriate)

Signature
Name of Person Signing
Date

Licensing Department, County Hall, Beverley, East Yorkshire, HU17 9BA

What the Gambling Act 2005 Says;

Section 37 Use of Premises

A person commits an offence if he uses premises, or cause or permits premises, to be used to provide facilities for betting (whether by making or accepting, or acting as a betting intermediary or by providing other facilities for making or accepting of bets)

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

A person guilty of a offence under this section shall be liable on summary conviction to

- (a) Imprisonment not exceeding 51 weeks
- (b) A fine not exceeding level 5 on the standard scale
- (c) or both

Section 39 Occasional Use Notice

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

- (a) A notice has been given under this section in respect of the track, and
- (b) The activity is carried on 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

- (a) Responsible for the administration of events on the track, or
- (b) An occupier of the track

An occasional use notice must –

- (a) Must be given in writing to the licensing authority for any area in which the track is wholly, or partly situated, and

- (b) Be copied to either
 - (i) In England and Wales, the chief of police for the area in which the track is wholly or partly situated, or
 - (ii) In Scotland the Chief officer of the police force maintained for the police area comprising that area.

An occasional use notice must specify the day in which it has effect

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

In this Section-

- (a) " Chief officer of police" has the meaning given by section 101(1) of the Police Act 1996 (c 16) and
- (b) a reference to a chief officers area is a reference to the area in respect of which he has responsibility under the act.