

# Blackpool Council

## Notice under Section 39 of the Gambling Act 2005 Occasional Use of Track for Purpose of Betting

**Applicant Name:**

### Built Environment

Licensing Service  
Blackpool Council  
Municipal Buildings, PO Box 4  
Blackpool, FY1 1NA

### Contact

T: (01253) 47 8344  
F: (01253) 47 8372  
[www.blackpool.gov.uk](http://www.blackpool.gov.uk)



## Applicant Details

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

<b>Title:</b>	<b>Mr</b>	<b>Mrs</b>	<b>Miss</b>	<b>Ms</b>	Other

<b>Forename(s)</b>		<b>Surname</b>	
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**Address where ordinarily resident (we will use this address to correspond with you unless you complete the separate correspondence box below).**

<b>Address</b>					
		<b>Post Code</b>			

<b>Telephone Number</b>		<b>Mobile Number</b>	
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<b>Email address</b>	
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**Address for correspondence associated with this application (if different to the address above)**

<b>Address</b>					
		<b>Post Code</b>			

<b>Telephone Number</b>		<b>Mobile Number</b>	
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<b>Email address</b>	
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## Track Details

<b>Track Name</b>	
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<b>Postal Address of track</b>					
		<b>Post Code</b>			

<b>Telephone Number</b>		<b>Mobile Number</b>	
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**Please state the date of the event**

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

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<b>Number of Occasional Use Notices applied for in respect of this track in current year</b>	
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## 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	<input type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the track is located	<input type="checkbox"/>
If the track is situated in one or more licensing authority areas, send a copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the track is situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
Sign the declaration below	<input type="checkbox"/>

## Declarations

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) Without reasonable excuse to give to the licensing authority information which is false or misleading;
- (ii) 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.
- (iii) 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
- (iv) I am a person responsible for

The administration of events on the track, or

An occupier of the track

(tick either or both boxes as appropriate)

<b>Signed</b>			
<b>Print Name</b>			
<b>Date</b>	<b>Day</b>	<b>Month</b>	<b>Year</b>

## Acknowledgement (see Note 17)

I acknowledge receipt of this Occasional Use Notice				
<b>Signed</b>				<b>Official Stamp</b>
<b>Name of signing officer</b>				
<b>Date:</b>	<b>Day</b>	<b>Month</b>	<b>Year</b>	

## **What the Gambling Act says: -**

### **Section 37 - Use of premises**

A person commits an offence if he 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 of bets).

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

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

- (a) imprisonment for a term not exceeding 51 weeks,
- (b) a fine not exceeding level 5 on the standard scale, or
- (c) both.

### **Section 39 – Occasional Use Notice**

A person who accepts bets on a track, or 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) 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 officer of police for any area in which the track is wholly or partly situated, or
  - (ii) in Scotland, the chief constable of the police force maintained for the police area comprising that area.

An occasional use notice must specify a day on 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—

- (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 officer’s area is a reference to the area in respect of which he has responsibility under that Act.