

Notice under Section 39 of the Gambling Act 2005

Occasional Use of Track for 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

(include postcode):

Telephone number:

Address of Track

(include postcode):

Date of event:

Occasional use notices may only be granted in respect of a track for a maximum of eight days per calendar year.

Number of Occasional Use Notices applied for in respect of this track in current calendar year:

Checklist

I SHALL:	✓
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 (see overleaf).	<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 and date the declaration below.	<input type="checkbox"/>

Declaration

- (i) The information contained in this form is correct to the best of my knowledge and belief.
- (ii) I understand that it is an offence:
- 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.
- And that 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.
- (iii) Only those persons / companies holding a betting operating licence from the Gambling Commission will be allowed to provide betting facilities during the period of the Notice.
- (iv) I am a person responsible for the administration of events on the track ☐
- OR An occupier of the track D ☐ (Tick either or both boxes as appropriate.)

Signature:

Date:

Name of person signing:

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 carded 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.

Address for sending copies of this Notice to Lincolnshire Police

The relevant address is:

Licensing (Alcohol & Gambling),
Lincolnshire Police,
Myle Cross Centre
Macauley Drive
Lincoln
LN2 4EL

Email: countylicensinggroup@lincs.pnn.police.uk

Your information will be processed in accordance with the law, in particular the Data Protection Act 2018.
The information you provide will only be used for Council purposes unless we are required by law to do otherwise.

Data Protection Notice – Occasional Use Notice (OUN)

East Lindsey District Council is a Data Controller and can be contacted at:

Tedder Hall, Manby Park, Louth, Lincolnshire, LN11 8UP

Tel: 01507 601111

The Data Protection Officer for this Authority can be contacted at the same address.

We are collecting your personal data in order to process your notice under Licensing Legislation as we are the Licensing Authority.

Your data will not be shared with third parties but may be used for Council purposes, in order to prevent or detect crime, to protect public funds or where we are required or permitted to share data under other legislation.

In line with our retention policy your data will be kept for the period of time that you hold a registration with this Authority and then for a further 6 years after your registration expires. The data will then be deleted / destroyed at the end of the aforementioned 6 year period.

You have the right to access your data and to rectify mistakes, erase, restrict, object or move your data in certain circumstances. Please contact the Data Protection Officer for further information or go to our website where your rights are explained in more detail. If you would like to receive an explanation of your rights in paper format please contact the Data Protection Officer.

Any complaints regarding your data should be addressed to the Data Protection Officer in the first instance. If the matter is not resolved you can contact the Information Commissioner's Office at:

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

If you do not provide the information required on the form then we will not be able to process your notice.

For further information on our Data Protection Policies please go to our website:

www.e-lindsey.gov.uk