

TEMPORARY USE NOTICES

A holder of an Operating Licence can serve a Licensing Authority with a Notice informing it of an intention to use unlicensed premises (temporarily) for equal chance gaming e.g. poker tournament in a hotel.

The activities permitted are providing facilities for any form of equal chance gaming where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.

In providing facilities for equal chance gaming it does not include providing such facilities in circumstances where any person participating the gaming does so by means of a gaming machine.

The Notice must be copied by the Notice provider to the Gambling Commission, the Police and HM Revenue and Customs within seven days of the original Notice being served on the Licensing Authority.

Objections to the Notice

All these persons receiving copies of the Notice can raise objections, having regard to the Licensing Objectives, within 14 days of the original Notice being served on the Licensing Authority and are required to serve a Notice of objection upon the persons who gave the original Notice.

The Licensing Authority can also issue a Notice of objection.

Counter Notices

Premises may be 'covered' by a temporary use Notice for up to 21 days in any 12-month period.

Where this maximum permitted period is exceeded, the Licensing Authority is required to serve a Counter Notice to refuse permission for the temporary activities.

Where Notices of objection are raised then the Licensing Committee will decide if a Counter Notice should be issued and the Temporary Use Notice should not

take effect; or whether a Counter Notice should be issued providing for the Temporary Use Notice to have effect but subject to certain restrictions such as type, time or place of the activities.

The Licensing Committee may also decide that the objection(s) is/are dismissed and that the Temporary Use Notice should have effect. It may also be agreed by the objector(s) and the Temporary Use Notice provider that a hearing is not required and modifications to the Temporary use Notice are made with mutual consent (Section 223). In such a situation the objections would in effect, be withdrawn.

OCCASIONAL USE NOTICE

Tracks can be authorised for provision of facilities for betting where the betting will be for no more than 8 days a year, in the form of an 'occasional use Notice'.

An 'occasional use Notice' must be provided to the Licensing Authority and to the Chief Officer of Police and must specify the day on which it will have effect. A track is defined in the Act as a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place, or is intended to take place.

Data Protection

Please note that the council may provide information submitted on any application form for a licence or permission to other statutory authorities, such as the Department of Culture, Media and Sport (DCMS), Her Majesty's Revenue and Customs (HMRC) and, in the case of application under the Gambling Act 2005, the Gambling Commission.