

Occasional use notices are used to permit licensed betting operators - with the appropriate permission from the [Gambling Commission](#) - to use tracks for short periods of betting at events which are temporary or infrequent.

The notices can only be used for eight days or less in a calendar year.

You can serve this kind of notice to us if you are the person responsible for the organisation of events on the track or an occupier of the track.

The notice, which should specify which day it relates to, must be served on us and copied to the chief officer of police for the area in which the track is located (see address below). Consecutive days can be specified on the notice but the overall limit of eight days per calendar year should not be exceeded.

If the criteria is met for the occasional use notice, there is then no need for a betting [premises licence](#) for the track and when the notice is served there is no opportunity for counter-notices or objections to be submitted.

The [Gambling Act 2005](#) does not prescribe an application form for this but applicants may wish to use our application form below.

There is no fee relating to an Occasional Use Notice

Contact us – Licensing Authority, Newcastle City Council, Civic Centre, Barras Bridge, Newcastle upon Tyne NE1 8QH

Telephone: 0191 2115079

E Mail: licensing@newcastle.gov.uk

Contact Northumbria Police – Licensing Co-ordinator, Northumbria Police, Eldon Square, Floor 1, Eldon Court, Percy Street, Newcastle upon Tyne NE1 7JB

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

.....

.....

Telephone number

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 year.

Number of Occasional Use Notices 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	<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"/>
Sign 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 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 *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 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.