

**EAST STAFFORDSHIRE BOROUGH COUNCIL**

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



Name\*:

\*(applicant must be either the person responsible for the administration of the event or an occupier of the track)

Address of applicant:

Name and address of track:

Date of event:

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

**I shall (please mark the appropriate boxes with an "X")**

Send a copy of the notice to the licensing authority for the area in which the track is located  
(Licensing Team, East Staffordshire Borough Council, The Town Hall, King Edward Place, BURTON UPON  
TRENT, DE14 2EB)

Send a copy of this notice to the chief officer of police for the area in which the track is located  
(Southern Licensing Unit, Staffordshire Police, Burton Police Station, Horninglow Street, Burton upon  
Trent, Staffordshire, DE14 1PA)

If the track is situated in one of 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 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 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 the making or accepting bets) in contravention of this notice.
- (iii) A person guilty of either of 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 confirm that I am a person responsible for the administration of events on the track\*, or an occupier of the track\* (\*please indicate as appropriate).

Signature: .....

Date: .....

Name of person signing: .....

**Gambling Act 2005**  
**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.