



Temporary Use Notice (vessels)

This form may be used by licensed Gambling Operators wishing to obtain authorisation to provide facilities for certain forms of gambling aboard a vessel which does not have the benefit of a Premises Licence. There are limitations on how frequently Temporary Use Notices may be obtained – if it is intended to offer gambling more frequently than Temporary Use Notices allow, a Premises Licence must be obtained.

Please refer to the guidance notes at the back of this form before completing. If you are completing this form by hand, please write legibly in block capitals using ink.

| GAMBLING ACT 2005 – TEMPORARY USE NOTICE (Vessel) | |
|--|-----------------|
| Notice is hereby given under Part 9 of the Gambling Act 2005 that: | |
| <i>[Insert the name and address of the person or organisation giving the notice]</i> | |
| | |
| intends to use the following vessel: | |
| <i>[Give the name of the vessel]</i> | |
| | |
| for carrying on the following activities: | |
| <i>[Indicate the type of gaming which will take place under the notice]</i> | |
| | |
| during the following period: | |
| Start date | End date |
| | |
| Additional information | |
| 1. Please give the country in which the vessel is registered: | |
| | |

2(a) Please give the place in the licensing authority's area at which the vessel is situated or moored:
[Give an address with postcode if available]

2(b) Please confirm by ticking or checking the appropriate box whether the place stated in question 2(a) is:

- i) a fixed place in or on water at which the vessel is situated; or
- ii) a place at which the vessel is permanently moored; or
- iii) a place at which the vessel is habitually moored; or
- iv) in any other case, a place at which the vessel is moored or is likely to be moored, or a place in the United Kingdom nearest to any place at which a vessel is or is likely to be, while activities are carried on in the vessel in reliance on this notice.

2(c) Where either sub-paragraph (iii) or (iv) of question 2(b) has been ticked or checked, please indicate all the places where the vessel will be during the whole of the period of time covered by the notice:

3. Please describe the nature of the event which is to take place (including the number of persons who are expected to participate in the event):

4. Please indicate whether the activities to be authorised by the notice are to take place only in a part of the vessel; and, if so, please include a description of the part in which the activities are taking place and its location within the vessel:

5. Please give for each day of the period of the notice the times when activities are to begin and end.

| Date | Start time | Finish time |
|------|------------|-------------|
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| | | |
| | | |

[Use additional sheets if necessary. These should be headed "Additional information about times when premises are to be used under the notice", and attached to the notice.]

6. Please give the operating licence number of the person or organisation giving the notice:

7(a) Please give the name of a person who is responsible for the conduct of the event to which the notice relates, and who will be available to be contacted during the course of the event:

7(b) Please specify that person's role or title in connection with the event:

7(c) Please give a telephone number at which that person can be contacted when the event is taking place:

8(a) Have any activities taken place, or will any activities take place, on the premises under any other temporary use notice during the period of 12 months ending on the last day of the period specified in this notice?
Yes **No**

6(b) Where the answer to question 6(a) is "yes", give the dates on which such activities have taken or will take place:

| Start date | End date | Number of days |
|------------|----------|----------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

[Use additional sheets if necessary. These should be headed "Additional information on previous notice periods", and attached to the notice.]

This notice is given on:
[Specify the date on which the notice is given. This is the date on which it is sent or delivered to the licensing authority.]

Continues...

| Declarations and Checklist (please tick or check) | |
|---|--------------------------|
| I confirm that, to the best of my knowledge, the information contained in this notice is true. I understand that it is an offence under section 342 of the Gambling Act 2005 without reasonable excuse to give information which is false or misleading in, or in relation to, this notice. | <input type="checkbox"/> |
| Checklist: | |
| • The date on which this notice is given is more than 3 months before the date on which the activities to which this notice relates are due to start | <input type="checkbox"/> |
| • Payment of the appropriate fee has been made/is enclosed | <input type="checkbox"/> |
| • I understand that premises cannot be used under temporary use notices for more than 21 days in any 12 month period. I confirm that the notice will not lead to this limit being exceeded | <input type="checkbox"/> |
| • I understand that each of the following persons and organisations must be given a copy of the notice and that they must receive it no later than 6 days after the date on which it is sent or delivered to the licensing authority: <ul style="list-style-type: none"> ○ The Gambling Commission, ○ The chief officer of police, or in Scotland the chief constable of the police, for any area in which the premises are wholly or partly situated, and ○ The Commissioners for Her Majesty's Revenues and Customs. | <input type="checkbox"/> |

| Signature | |
|--|--|
| Signature of the person giving the temporary use notice, or signature of the solicitor or other duly authorised agent acting on behalf of the person or organisation giving the notice. If you are signing on behalf of the person or organisation giving the notice, please state in what capacity: | |
| Signature: | <input style="width: 100%; height: 30px;" type="text"/> |
| Print name: | <input style="width: 100%; height: 30px;" type="text"/> |
| Date: | <input style="width: 25%; height: 30px;" type="text"/> Capacity: <input style="width: 75%; height: 30px;" type="text"/> |
| <i>[Where the notice is given in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]</i> | |

| Contact Details |
|--|
| The following person can be contacted about this temporary use notice: |
| <input style="width: 40%; height: 30px;" type="text"/> Telephone: <input style="width: 50%; height: 30px;" type="text"/> |
| The postal and/or email address for any correspondence associated with the notice is: |
| <input style="width: 100%; height: 60px;" type="text"/> |

| ENDORSEMENT OF NOTICE BY LICENSING AUTHORITY | | | |
|---|--|------------------|--|
| (For Licensing Authority use only) | | | |
| Endorsed by Dacorum Borough Council: | | | |
| Signed on behalf of the licensing authority: | | | |
| Signature: | | | |
| Name: | | | |
| Date: | | Capacity: | |

Guidance notes

1. This is a Temporary Use Notice, as described in Part 9 of the Gambling Act 2005. It can be used to obtain authorisation for licensed gambling operators to carry on certain gambling activities in unlicensed premises, on a limited number of days per year. **This form is specific to premises that are vessels – for other, fixed premises, a separate application form has been made available.** The type of activities that can be carried on in reliance on a Temporary Use Notice, as specified by regulations made by the Act, are as follows:
 - 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 (although not including circumstances where any person participating in the gaming does so by means of a gaming machine.)

[N.B. Equal chance gaming is defined as gaming which does not involve playing or staking against a bank, and in which the chances are equally favourable to all participants.]
2. Only persons or organisations who hold a relevant Operating Licence issued by the Gambling Commission may submit Temporary Use Notices. The Operating Licence must permit the type of gambling activity for which authorisation is sought in the notice, and the notice will not override any condition or restriction set out in that Operating Licence.
3. A set of premises may be the subject of one or more temporary use notices in a period of 12 months, provided that the aggregate duration of the periods for which the notices have effect does not exceed 21 days.
4. If a temporary use notice is given that would cause the above limit to be exceeded, then the licensing authority will issue a counter-notice, cancelling the temporary use notice. If there is a way in which the notice can be modified to ensure that it complies with these limitations, the authority will usually provide an opportunity for the person or organisation who gave the notice to do so.
5. Temporary Use Notices may be given in respect of passenger vessels and other vessels that are situated at a fixed location or permanently moored. Temporary Use Notice may **not** be given in respect of any vehicle or other type of vessel.
6. Temporary Use Notices must be given to the licensing authorities at least 3 months before the day on which the proposed event is due to commence. Copies must also be sent to the Gambling Commission, the Police and HM Customs & Revenues, to arrive within 7 days of the date on which the notice was given to the licensing authority. In addition, in respect of notices given for vessels, copies must also be sent to the Environment Agency, the British Waterways Board and the Secretary of State.
7. Having regard to the licensing objectives and any relevant guidance issued by (or on behalf of) the Secretary of State, the licensing authority, the Gambling Commission, the Police or HM Customs & Revenues may object to the notice if they believe that the proposed event should not take place, or that the notice should only be permitted with modification. Such an objection must be made within 14 days of the notice being given, and a copy of the objection must be given to the person or organisation who gave the temporary use notice. If any valid objections are received, a Licensing Committee (or Sub-Committee) hearing will be held by the authority,

at which the notice and the objection(s) will be considered, and a decision taken as to whether to issue a counter-notice, cancelling the temporary use notice. This hearing must take place by no later than 6 weeks before the day on which the event is due to commence.

8. If there are no objections against the temporary use notice, or if the authority dismiss any objections made against it, a copy of the temporary use notice will be endorsed and returned to you (or, if an alternate contact address is specified, that address).
9. The fee for Temporary Use Notices is set by the local licensing authority, up to a maximum amount prescribed by regulations. A list of all application fees set by Dacorum Borough Council can be obtained from our website, via the following link:

www.dacorum.gov.uk/licensing

Alternatively, to find out an appropriate fee, please contact a member of staff within the Licensing Section, by telephone on 01442 228470 / 228860, or by email to licensing@dacorum.gov.uk. In all cases, payment should be made payable to 'Dacorum Borough Council'.

10. Licensing authorities are legally obliged to keep registers of all Temporary Use Notices given. These registers are accessible to the public, and may be referred to by an applicant wishing to confirm how many notices have been given in respect of specific premises in the last 12 months. The authority is also obliged to periodically provide statistical and compliance information relating to Temporary Use Notices to the Gambling Commission, and may request further information from the Commission in respect of any Operating Licence Holder giving a notice.
11. During an event in respect of which a Temporary Use Notice has been given, a copy of the endorsed notice must be prominently displayed within the premises to which the notice relates, and the notice must be made available for inspection upon the request of a Police Constable, a Customs & Excise Officer, a Gambling Commission Enforcement Officer, or an authorised local authority officer.
12. Any person or organisation who has given a Temporary Use Notice may give notice to the authority at any time after giving it that they wish to withdraw that notice.
13. If a temporary use notice is lost, damaged or stolen, a replacement may be obtained from the licensing authority. A fee will be charged for this. Where the notice has been lost or stolen, the licensing authority will expect the incident to have been reported to the Police, and evidence of this (such as a crime reference number) may be requested.

The original notice should be sent, together with an identical copy of the notice, the prescribed fee and any supporting documents, to:

Licensing
Dacorum Borough Council
The Forum
Marlowes
Hemel Hempstead
HP1 1DN

Tel: 01442 228000

Email: licensing@dacorum.gov.uk
Web: www.dacorum.gov.uk/licensing

A copy of the completed notice, together with copies of any supporting documents, must be sent to each of the following responsible authorities, within 7 days of giving the notice to the licensing authority. Failing to comply with this requirement may invalidate your notice.

The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Hertfordshire Constabulary
Licensing – Dacorum Division
Combe Street
Hemel Hempstead
HP1 1HH

HM Revenue and Customs
National Registration Unit
Portcullis House
21 India Street
Glasgow
G2 4PZ

Canal & River Trust (South East)
1st floor North, Station House
500 Elder Gate
Milton Keynes
MK9 1BB

Environment Agency
PO Box 544
Rotherham
S60 1BY

Secretary of State for
Culture, Media & Sport
2-4 Cockspur Street
London
SW1Y 5DH