

Section B**Application on behalf of an organisation**

6. Name of applicant business or organisation:

[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence.]

7. The applicant's registered or principal address:

Postcode:

8(a) The number of the applicant's operating licence (as given in the operating licence):

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

9. Tick the box if the application is being made by more than one organisation.

[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]

Part 3 – Premises Details

10. Proposed trading name to be used at the premises (if known):

11. Address of the premises (or, if none, give a description of the premises or proposed premises and their location):

Postcode:

12. Telephone number at premises (if known):

13. If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

14(a) Are the premises or proposed premises situated in more than one licensing authority area? Yes No

14(b). If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, other than the licensing authority to which this application is made:

Part 4 – Times of operation

15(a). Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? Yes No

[Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.]

15(b). If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	Start (hh:mm)	Finish (hh:mm)	Details of any seasonal variation
Mon			
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

16. If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

Part 5 – Miscellaneous

17(a). Does the application relate to premises or proposed premises which are part of a track or other sporting venue which already has a premises licence? Yes No

17(b). If the answer to question 17(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application.

18(a). Do you hold any other premises licences that have been issued by this licensing authority? Yes No

18(b). If the answer to question 18(a) is yes, please provide full details:

19. Please set out any other matters which you consider to be relevant to your application:

Part 6 – Declarations and Checklist (Please tick)

I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

Checklist:

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- I/ we understand that if the above requirements are not complied with the application may be rejected
- I/ we understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

Part 7 – Signatures

20. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print Name:

Date:

(dd/mm/yyyy)

Capacity:

21. For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print Name:

Date:

(dd/mm/yyyy)

Capacity:

[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]

[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]

Part 8 – Contact Details

22(a) Please give the name of a person who can be contacted about the application:

22(b) Please give one or more telephone numbers at which the person identified in question 22(a) can be contacted:

23. Postal address for correspondence associated with this application:

Postcode:

24. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

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Guidance for applicants: Applying for a provisional statement under the Gambling Act 2005

Under the Gambling Act 2005, any individual, business or organisation wishing to operate premises-based betting and gambling activities within the borough of Dacorum must be authorised to do so by the local licensing authority. An appropriate Premises Licence, issued by the authority, must be held in respect of any premises where higher-value gambling activities are occurring, or may occur.

For premises that have not yet been constructed, or which will need significant amounts of work before they can be used for gambling activities, or in situations where the operator has not yet obtained the right to occupy the premises, a Provisional Statement may be applied for. This is a precursor to a full Premises Licence, allowing an operator to assess the likely opposition to any licence application before committing to the costs of development. A Provisional Statement does not in its own right allow facilities for gambling to be provided – a Premises Licence must be obtained following development before the premises may actually be used. Representations will not be permitted against any Premises Licence application providing that all relevant information was provided in the provisional statement application, and there have been no material changes in circumstances since.

The licensing authority is also responsible for issuing permits for the use of gaming machines in members clubs, alcohol-licensed premises, and certain other types of premises, in addition to prize gaming permits and society lottery registrations.

The principles that we will apply in exercising our functions are set out in our 'Statement of Principles', which can be viewed on our website, at www.dacorum.gov.uk. Alternatively, a paper copy can be requested, either by phone (01442 228470) or by email (licensing@dacorum.gov.uk).

Types of Premises Licence

The Act makes provision for a total of five types of Premises Licence:

- Casino Premises Licences
- Bingo Premises Licences
- Betting Premises Licences (for track premises (e.g. sports grounds), or for other types of premises)
- Adult Gaming Centre (AGC) Premises Licences
- Family Entertainment Centre (FEC) Premises Licences

A Premises Licence application made in reliance upon a Provisional Statement must be for the same type of licence – for example, a Bingo Provisional Statement cannot be used to apply for an AGC Premises Licence.

There are currently no casinos within Dacorum, and the council is not among those selected to award a new licence by the Secretary of State. The remainder of this document will not detail the specific legislative provisions relating to Casino Premises Licences.

Licensing objectives

When exercising any of its functions, the Licensing Authority will take into consideration three objectives, which underpin the new legislation:

- Preventing gambling from being a source of crime & disorder, or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable people from being harmed or exploited by gambling.

We will also have regard to any guidance or codes of practice that may have been issued by the national regulator, the Gambling Commission. Any such documents will be made available on their website, www.gamblingcommission.gov.uk.

Operating Licences & Personal Licences

Applications for Provisional Statements can be made by any person or organisation, even if they do not hold (nor have applied for) an Operating Licence. However, before any application can be made for a Premises Licence, an application for a relevant Operating Licence must have been submitted to the Gambling Commission. Further details on Operating Licences and Personal Licences are available from the Commission, on 0121 230 6666, or through their website, www.gamblingcommission.gov.uk. Please note that no Premises Licence will be granted before an appropriate Operating Licence is confirmed as granted.

How to apply

Application forms are available for download from our website, at www.dacorum.gov.uk/licensing, or can be requested on 01442 228470 or by email to licensing@dacorum.gov.uk. There are separate application forms for fixed premises and vessels. Please ensure that you have the appropriate application form before beginning to complete it.

Your application for a Provisional Statement should be accompanied by:

- A scale plan of the [proposed] premises
- The appropriate application fee (detailed below)

The completed application form and all of the accompanying documents should be sent to the Licensing Section, at the address given at the end of these notes.

Consultation

Consultation on variation applications consists of 3 steps:

- Notice of the application is to be displayed at the relevant premises (or the proposed site);
- Notice of the application is to be published in a local newspaper;
- Notice of the application is to be given to all of the Responsible Authorities.

The purpose of this is to inform both Responsible Authorities (statutory, regulatory bodies) and Interested Parties (people living near your premises, people with business interests likely to be affected, or representatives of either of these) that an application has been made, and allow them to inspect the application and comment upon it. Representations from either Responsible Authorities or Interested Parties will be accepted during the period of 28 days starting from when your application is made.

A template for the newspaper and premises notices is located towards the rear of these notes.

The completed notice is to be published in a local newspaper distributed in the area, on at least one occasion within 10 working days after making the application, and displayed at the premises (positioned so it can be conveniently read from the exterior of the premises) for at least 28 consecutive days after making the application.

Templates for the Responsible Authority notice are located towards the rear of these notes. Use Form A if only one individual or company is making the application. Use Form B if the application is being made jointly by two or more individuals and/or companies.

A copy of the completed notice should be sent (at the same time as you make your application to the licensing authority) to each of the Responsible Authorities. Their contact addresses are listed at the rear of these notes.

Failing to properly notify the Responsible Authorities or advertise your application will delay the determination of it.

Application Fees

The application fee is dependent on the type of premises licence you are applying for. All Premises Licence fees are set by the local licensing authority, up to a maximum amount prescribed by regulations. A list of the application fees set by Dacorum Borough Council can be obtained from the Gambling & Lotteries section of our website, using the following link:

<http://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, or by email to licensing@dacorum.gov.uk. In all cases, payment should be made payable to the 'Dacorum Borough Council'.

Plans

All applications for a Provisional Statements must be accompanied by a scale drawing of the premises concerned, or if the premises has not yet been constructed or altered, the proposed layout of the premises. This drawing should include the following features:

- the boundary or perimeter of the premises;
- the location of any internal or external walls forming part of the licensed premises;
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises; and
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

Depending on the type of application, the following matters must also be shown:

- For Bingo premises (to which children or young persons will be permitted to have access):
 - the location and extent of any part of the premises which will be used to provide facilities for gaming;
 - the location and extent of any part of the premises in which Category B or C gaming machines will be made available for use in reliance on the licence;
 - the nature and location of any barrier or other thing separating any part of the premises in which Category B or C gaming machines will be made available for use from any other part of the premises.
- For Adult Gaming Centre premises:
 - the location and extent of any part of the premises in which gaming machines will be made available for use.
- For Family Entertainment Centre premises:
 - the location and extent of any part of the premises in which Category C gaming machines will be made available for use;
 - the location and extent of any part of the premises in which Category D gaming machines will be made available for use; and
 - the nature and location of any barrier or other thing separating any part of the premises in which Category C gaming machines will be made available for use from any other part of the premises.
- For Betting premises (not tracks):
 - the location and extent of any part of the premises which will be used to provide facilities for gambling.

- For Betting premises (tracks)
 - the location and extent of any part of the premises which is a ‘five times betting rule area’ (any part of the premises to which, in accordance with conditions attached under s167 of the Act, the charge for admission payable by betting operators may not exceed five times the charge paid by members of the public);
 - the location and extent of any other parts of the premises which will be used for providing facilities for betting;
 - the location and extent of any part of the premises in which Category B or C gaming machines will be made available for use;
 - the nature and location of any barrier or other thing separating any part of the premises in which Category B or C gaming machines will be made available for use from any other part of the premises.

Conditions

Every Premises Licence granted by the authority will be subject to conditions, which will fall into one of three categories:

- **Mandatory** – defined nationally by Regulations – may not be removed from licence, unless further Regulations are made by the Secretary of State;
- **Default** – defined nationally by Regulations – you may request that these are excluded when you make your initial application (or later, by applying to vary your Premises licence);
- **Locally set by the Licensing Authority** – will be imposed on a case-by-case basis in response to a specific issue affecting the individual premises, possibly following the receipt of a representation.

Details of the current mandatory and default conditions are available on request from the Licensing Section.

Mandatory conditions may not be removed from a licence, except through the amendment of relevant Regulations by the Secretary of State.

You may request that a default condition is excluded from a licence. This request will form part of the consultation, and will require your application to be considered at a public hearing by the Licensing Sub-Committee.

Where conditions are excluded from the licence, the authority may, if it considers it appropriate, replace those conditions with new conditions which recreate some or all of the effect of the removed conditions. The applicant will be given chance to make representation if it is proposed to do so.

Gaming machine entitlements

In addition to permitting specific types of gambling activity, Premises Licences also allow a number of gaming machines to be operated within the licensed premises. Under the Act, gaming machines are divided into categories, dependent on their maximum stake and prize amounts, and where they may be provided.

Categorisation of machines and entitlements for individual premises are subject to periodic change – please see our website for details of the current limitations.

Category B and C gaming machines may only be operated by persons over the age of 18. Where these machines are permitted to be provided in premises to which under-18's may access, it will generally be required that they are only made available in segregated areas to which children are not permitted.

Provisional Statement duration

Unless otherwise specified, a Provisional Statement will not carry an expiry date, and cannot be surrendered or revoked. The Provisional Statement does not in itself authorise gambling activities, and a Premises Licence must be obtained at the conclusion of development works. If the planned development changes substantially from what was considered during the Provisional Statement application, then the Statement will have no effect during the Premises Licence application – either a new Provisional Statement must be obtained, or the Premises Licence application made not in reliance upon a Statement.

Further information and assistance

If you require any further information regarding gambling premises licences, or assistance in completing your application, please contact the Licensing Section using the details given below:

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

By Email licensing@dacorum.gov.uk

By Phone 01442 228470

Website www.dacorum.gov.uk/licensing

Consultation form templates

1. Newspaper and premises statutory notice template
To be published in a local newspaper on at least one occasion, within a period of 10 working days starting on the day after the application is made, and displayed at the premises for a period of 28 consecutive days, starting on the day on which the application is made, and positioned so as to be easily visible from outside the premises.
2. Notice of application to responsible authorities
 - a. Form A (*where the application is made by a single applicant*)
 - b. Form B (*where the application is made by joint applicants*)
3. Contact details for responsible authorities

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Newspaper and premises statutory notice template

NOTICE OF APPLICATION FOR A PROVISIONAL STATEMENT UNDER THE GAMBLING ACT 2005

Notice is hereby given that:

.....
[Give the full name(s) of the applicant(s)]

of the following address:

is/ are applying for a

.....
[Insert kind of provisional statement being applied for]

provisional statement under section 204 of the Gambling Act 2005.

The application relates to
the following premises:

.....
[Give the trading name to be used at the premises, and the address of the premises (or, if none, give a description of the premises and their location)]

The application has been made to: **Licensing, Dacorum Borough Council,
The Forum, Marlowes, Hemel Hempstead, HP1 1DN
(www.dacorum.gov.uk/licensing)**

Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

Any of the following persons may make representations in writing to the licensing authority about the application:

- A person who lives sufficiently close to the premises to be likely to be affected by the authorised activities
- A person who has business interests that might be affected by the authorised activities
- A person who represents someone in any of the above two categories.

Any representations must be made by the following date:

.....
It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.



NOTICE OF APPLICATION FOR A PROVISIONAL STATEMENT (FORM A)

For use by a single applicant, as Notice of Application to Responsible Authorities
Joint applicants should use Form B instead

**This notice is issued in accordance with regulations made under section 160 of the
Gambling Act 2005.**

Notice is hereby given that:

.....
[Give the full name of the applicant as set out in Part 2 of the application for a provisional statement]

of the following address:

Postcode:

.....
[Give the full address of the applicant as set out in Part 2 of the application for a premises licence]

the number of whose operating licence is

or who applied for an operating licence on

.....
*[Complete as appropriate. Insert the reference number of the applicant's operating licence
(as set out in the operating licence). Where an application for an operating licence is in the
process of being made, indicate the date on which the application was made.]*

has made an application for a provisional statement.

.....
[Specify the type of premises to which the application relates – betting, bingo, etc.]

The application relates to
the following premises or
proposed premises:

.....
*[If known, give the trading name to be used at the premises and the address of the premises as given in
Part 3 of the application. If the premises have no address, then describe the premises and the location
in the same way as they are described in Part 3 of the application.]*

The application has been made to the following licensing authority:

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

Tel: **01442 228470**
Email: **licensing@dacorum.gov.uk**
Website: **www.dacorum.gov.uk/licensing**

Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

The following person connected with the applicant is able to give further information about the application:

[This entry is optional and is to be included if the applicant wishes to provide the name, telephone number and (if available) e-mail address of a person connected with the applicant who is able to answer questions and provide further information about the application.]

Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date:

[Please insert last day on which representations may be made in relation to the application. The period for making representations is 28 days (inclusive) starting with the day on which the application for the provisional statement was made to the licensing authority.]

N.B. A copy of this form should be sent to each of the Responsible Authorities, at the same time as you send the application to the licensing authority. Contact details are provided in the guidance notes to the application form.



NOTICE OF APPLICATION FOR A PROVISIONAL STATEMENT (FORM B)

For use by joint applicants, as Notice of Application to Responsible Authorities
Single applicants should use Form A instead

**This notice is issued in accordance with regulations made under section 160 of the
Gambling Act 2005.**

Notice is hereby given that the persons or organisations whose details are given in the Schedule to
this notice have made an application for a: _____ provisional statement.

[Specify the type of premises to which the application relates – betting, bingo, etc.]

The application relates to
the following premises:

*[If known, give the trading name to be used at the premises and the address of the premises as given in
Part 3 of the application. If the premises have no address, then describe the premises and the location
in the same way as they are described in Part 3 of the application.]*

The application has been made to the following licensing authority:

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

Tel: **01442 228470**

Email: **licensing@dacorum.gov.uk** Website: **www.dacorum.gov.uk/licensing**

Information about the application is available from the licensing authority, including the
arrangements for viewing the details of the application.

The following person connected with the applicant is able to give further information about the
application:

*[This entry is optional and is to be included if the applicant wishes to provide the name, telephone number
and (if available) e-mail address of a person connected with the applicant who is able to answer questions
and provide further information about the application.]*

**Any representations under section 161 of the Gambling Act 2005 must be made no later
than the following date:**

*[Please insert last day on which representations may be made in relation to the application. The period for
making representations is 28 days (inclusive) starting with the day on which the application for the premises
licence was made to the licensing authority.]*

Schedule of Applicants

The persons or organisations making the application are as follows:

Name of 1st Applicant: _____

[Give the full name of the applicant as set out in Part 2 of the application for a provisional statement]

Address of 1st Applicant: _____

Postcode: _____

[Give the full address of the applicant as set out in Part 2 of the application for a provisional statement]

The number of the operating licence held by 1st Applicant is: _____

The 1st Applicant applied for an operating licence on: _____

[Complete as appropriate. Insert the reference number of the applicant's operating licence (as set out in the operating licence). Where an application for an operating licence is in the process of being made, indicate the date on which the application was made.]

Name of 2nd Applicant: _____

[Give the full name of the applicant as set out in Part 2 of the application for a provisional statement]

Address of 2nd Applicant: _____

Postcode: _____

[Give the full address of the applicant as set out in Part 2 of the application for a provisional statement]

The number of the operating licence held by 2nd Applicant is: _____

The 2nd Applicant applied for an operating licence on: _____

[Complete as appropriate. Insert the reference number of the applicant's operating licence (as set out in the operating licence). Where an application for an operating licence is in the process of being made, indicate the date on which the application was made.]

[Where there are more than two applicants, also give the same information for the other applicants.]

N.B. A copy of this form should be sent to each of the Responsible Authorities, at the same time as you send your application to the licensing authority. Contact details are provided in the guidance notes to the application form.

