

Gambling Premises Transfer Guidance & Application Form



- Casino
- Bingo Premises
- Adult Gaming Centre
- Family Entertainment Centre
- Betting (Track)
- Betting (Other)

For more information contact: Eastbourne Borough Council, 1 Grove Road, Eastbourne, East Sussex, BN21 4TW Tel: 01323 410000
Email: customerfirst@eastbourne.gov.uk website www.eastbourne.gov.uk

Applying to Transfer a Premises Licence under the Gambling Act 2005

When control of an existing licensed gambling premises is to change to a different operator, it is necessary to apply to the licensing authority for the transfer of the licence.

How to apply

Please ensure that you have the appropriate application form before beginning to complete it. Your application should consist of:

- The Transfer Application Form
- The existing premises licence*
- Written consent to the transfer from the existing licence-holder
- The appropriate application fee *(detailed below)

*If it is not possible to provide the premises licence with your application, a statement as to why this is the case should be provided, along with an application for a duplicate copy of the licence.

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

Operating Licenses and Personal Licenses

Before any application can be made for the transfer of a personal licence, an application for a relevant operating licence must have been submitted to the Gambling Commission. Further details on operating licences and personal licenses are available direct from the Gambling Commission on 0121 230 6666, or through their website www.gamblingcommission.gov.uk. Please note that no premises

licence will be issued before an appropriate operating licence is confirmed as granted.

Consultation

When making a transfer application, **a number of responsible authorities must be given notice** of your application, within 7 days of submitting your application. A format has been prescribed for this notice, and templates are located at 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.

Notice must be given to the four authorities identified below:

1. The Gambling Commission
Victoria Square House
Victoria Square
Birmingham B2 4BP
Tel: 0121 230 6500
Fax: 0121 233 1096
Email: info@gamblingcommission.gov.uk
2. HM Revenue and Customs
National Registration Unit (Betting and Gaming)
Portcullis House
21 India Street
Glasgow G2 4PZ
Tel: 0141 555 3633
Email: nru.betting&gaming@hmrc.gsi.gov.uk
3. Sussex Police
The Licensing Unit
Police Station
Terminus Road
Bexhill-on-Sea
East Sussex TN39 3NR
4. Child Protection
Head of Children's Safeguards and Quality Assurance
PO Box 5
East Sussex County Council
County Hall
Lewes
East Sussex BN7 1SW

Representations from any of these Responsible Authorities will be accepted during the period of 28 days starting from when your application is made. If a valid representation is received, the application will be referred to a meeting of the Licensing Sub-Committee for determination.

There is no requirement for newspaper or premises advertisements as part of a transfer application. Failing to properly notify the Responsible Authorities will delay the determination of your application.

Interim Authority

Question 17 of the application form allows the applicant to request that they are treated as if they were the licence holder during the application period. This will allow an established premises to continue operating under the authority of the premises licence while the application is considered. However, the use of this provision does not exempt the applicant from any other requirement under the Act, such as the need to hold a valid operating licence. The effect of this section will commence when the application is received by the Licensing Authority, and end upon determination of the application.

Consent from Existing Licence Holder

It is required that an application to transfer a premises licence is accompanied by a written letter of consent from the existing licence holder, to demonstrate that they consent to the licence being transferred to the new applicant. A template for this letter is attached at the rear of these notes. However, in some circumstances, it may not be possible to obtain consent from the existing licence holder – for instance, if they have left the premises and their current whereabouts are unknown.

In these circumstances, the Licensing Authority has discretion to disapply the requirement to submit a letter of consent – however, it is expected that the applicant will have taken all reasonable steps to try and reach the licence holder, and that a statement of these steps will be submitted in place of the letter of consent. Please note that this provision does not apply if the previous licence holder has refused to give consent to the transfer of licence.

Application Fees

The application fee is dependent on the type of premises licence you are applying for the transfer of. All premises licence fees are set by the Local Licensing Authority, up to a maximum amount prescribed by regulations. Please refer to our website for fees www.eastbourne.gov.uk

Application to Transfer a Premises Licence Under the Gambling Act 2005

EASTBOURNE
Borough Council



Please read the following instructions first

If you are completing this form by hand, please write legibly in block capitals, using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Part 1 – Applicant Details

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

Section A - Individual Applicant

1. Title: Mr Mrs Miss Ms Dr Other (please specify)

2. Surname: _____ Other name(s): _____
(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)

3. Applicant's address (home or business – [delete as appropriate])

_____ Postcode: _____

4(a) The number of the applicant's operating licence (as set out in the operating licence)

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

5. Tick the box if the application is being made by more than one person
(Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants")

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 2

10. Trading name used at licensed premises:

11. Give the address of the premises or, if none, give a description of the premises and its location. Where the premises are a vessel, give the place indicated in the premises licence as the place in the Licensing Authority's area where the vessel is wholly or partly situated. Where possible this should include an address with postcode:

_____ Postcode: _____

12. Telephone number at premises (if known): _____

13. Type of premises licence to be transferred:

Regional Casino Large Casino Small Casino
Converted Casino Bingo Adult Gaming Centre
Betting (track) Betting (other) Family Entertainment Centre

14. Premises licence number: (if known) _____

15. Please give name of the current licence holder as it appears on the premises licence: (if known)

Surname: _____ Other names: _____

Part 3 – Details of Application for Transfer

16. Give the date on which you want the transfer to take effect if approved:

____ / ____ / ____ (dd/mm/yy)

17. If you want section 189(6) of the Gambling Act 2005 to apply, please tick the box

(Section 189(6) of the Gambling Act 2005 enables the applicant to be treated as the premises licence holder from the date on which this application is made until the date on which it is decided)

18(a) Have you contacted the holder of the premises licence? Yes/No
(delete as appropriate)

18(b) If the answer to question 18(a) is no, please confirm by ticking the box that you have taken all reasonable steps to contact the person or persons holding the premises licence

18(c) If you have answered question 18(b) by ticking the box, please give full details of the steps that you have taken to contact the holder of the premises licence:

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

Part 4 – Declarations and Checklist (*please tick as appropriate*)

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.

I/we confirm that the applicant(s) have the right to occupy the premises

Checklist

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- The existing premises licence is enclosed
- The existing premises licence is not enclosed, but the application is accompanied by:
 - A statement explaining why it is not reasonably practicable to produce the licence and,
 - An application under section 190 of the Gambling Act 2005 for the issue of a copy of the licence.
- I/we understand that if the above requirements are not complied with the application may be rejected

Part 5 – 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: _____ 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: _____ 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 20 and 21.]

[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 6 – 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 number 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 email, please give the email address to which you would like correspondence to be sent:

Gambling Act 2005

Consent to transfer Premises Licence

I/we: _____
[Name(s) of existing licence holder(s)]

Being the holder(s) of a premises licence issued under Part 8 of the Gambling Act 2005, in respect of the following:

[address of licence premises]

Premises Licence No: _____ [Premises Licence Number starting GAMB]

Premises Type: _____
[Category of premises eg Casino, AGC, Betting (other), Betting (track), Bingo, FEC]

Hereby give my consent for the transfer of this licence to:

_____ [Name(s) of prospective applicant(s)]

Signed: _____ [Name of outgoing owner]

Print Name: _____

Date: _____

Capacity: _____

Form A
Notice of Application to Transfer a Premises Licence

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

Notice is hereby given that: _____

[Give full name of applicant. The name should be the same as that given in Part 1 of the application to transfer the premises licence]

Of the following address: _____

_____ Postcode: _____

[Give the full address of the application. This address should be the same as that set out in Part 1 of the application to transfer the premises licence]

The number of whose operating licence is: _____

Who applied for an operating licence: _____

[Delete 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 applied for the transfer to them of a premises licence of the following type:

[Specify the type of premises licence to which the application relates]

The application relates to the following licensed premises: _____

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

Form B
Notice of Application to transfer a Premises Licence

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 applied for the transfer to them of a premises licence of the following type: _____

[Specify the type of premises licence to which the application relates]

The application relates to the following premises: _____

[Give the trading name 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 in the following licensing authority:

Postcode: _____ Website: _____

The current licence holder(s) is/are: _____

[Give the full name of the licence holder(s) as set out in the premises licence (if known)]

The number of the premises licence (if known): _____

[Insert here the reference number of the premises licence as given in the licence itself]

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) email 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 was made to the licensing authority]