

Transfer of a Gambling Premises Licence guidance notes

This page gives you information on how to apply to transfer a premises licence under the Gambling Act 2005. You will find details on how to apply including the application form, the fee payable, and any additional supporting material that must accompany your application.

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.

What you need to do

You must make the application to the licensing authority where the premise is situated. You must also send a notice of your application to a number of responsible authorities as detailed below.

An applicant for the transfer of a premises licence must have a legal right to occupy and utilise the licensed premises before they make an application. Gambling activities could be carried on.

Before any application can be made for the transfer of a Premises Licence an application for a relevant Operating Licence must have been submitted to the Gambling Commission. We cannot issue a Premises Licence before an appropriate Operating Licence is confirmed as granted.

What happens during the application process?

The application allows for the applicant to have interim authority. This will allow an established premise to continue operating whilst the application is considered.

Application forms

Apply for the transfer of a premises licence by printing and completing the application to transfer a premises licence application form.

- Complete the form
- Keep a copy of the completed form for your own records
- Send the original completed form with a cheque for the required payment (made payable to Wiltshire Council) to:
 - **Wiltshire Council**
Public Protection – Licensing
County Hall
Trowbridge
Wiltshire
BA14 8JN
Email: publicprotectionwest@wiltshire.gov.uk

Your application should be accompanied by the existing premises licence. 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.

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.

However in some circumstances it may not be possible to obtain consent from the existing licence holder, for example if they have left the premises and their current whereabouts is 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 the licence.

Fee

The notification must be accompanied by the correct fee.

The fees are as follows:

- Transfer of a betting premises (other) licence is £700.
- Transfer of a bingo premises licence is £1,000.
- Transfer of a betting premises (track) licence is £900.
- Transfer of an adult gaming centre premises licence is £1,000.
- Transfer of a family entertainment centre premises licence is £520.

Notifying responsible authorities

You must give notice to each of the following responsible authorities within 7 days of submitting your application:

- **Gambling Commission**
Victoria Square House
Victoria Square
Birmingham
B2 4BP Tel: 0121 230 6666
Email: info@gamblingcommission.gov.uk
- **HM Revenue & Customs - National Registration Unit**
Betting and Gaming
Porcullis Head
21 India Street
Glasgow
G2 4PZ Tel: 03000 516023
Email: nrubetting&gaming@hmrc.gsi.gov.uk
- **Wiltshire Police**
The Licensing Officer
Trowbridge Police Station
Polebarn Road
Trowbridge
Wiltshire
BA14 7EP
Email: licensingE@wiltshire.pnn.police.uk

- **Wiltshire Council**
Child Protection (Room 270)
Children & Education
Trowbridge
Wiltshire
BA14 8JB

Failure to properly notify the Responsible Authorities will delay the determination of your application.

A format has been prescribed for the notice and templates to send to the responsible authorities; they are available on Wiltshire Council's website.

- 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.

Advertising application

There is no requirement for newspaper or premises advertisements as part of a reinstatement application.

Interim authority

Application for the transfer of a premises licence 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 premise 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.

What happens next?

We will check that:

- The application is correctly completed.
- The responsible authorities have been notified.

If we identify a problem

If there is a minor problem with the notice, we may contact you for further information or may return the notice to you for correction. Where there is a fundamental error, the notice may be rejected.

How long does it take to decide on an application?

There is a statutory 28 day consultation period during which representations can be made in relation to an application from responsible authorities and interested parties.

If we receive no representations within the 28 days, we will grant your application as applied for.

What happens if representations are received?

Where we receive relevant representations, we will hold a hearing of the councils licensing committee to decide on the application (unless all parties agree that a hearing is not necessary). We will tell you about the arrangements for the hearing.

We will aim to hold the hearing within 20 working days following the final date for the receipt of representations.

The decision

After the committee has heard all parties it will make its decision. The Licensing Committee may:

- Grant the application
- Reject the application

This decision is usually made at the time of the hearing. This will be confirmed in writing with the reasons for the decision along with information on what you need to do if you want to appeal.

Appeals

Both the applicant and anyone making representations can appeal to the local magistrates' court if they are dissatisfied with the decision. See Appeal against a licensing decision for more information.