



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 9

#### TEMPORARY USE OF PREMISES

##### *Temporary use notice*

VALID FROM 01/12/2007

#### **218 Maximum permitted period**

- (1) A set of premises may not be the subject of temporary use notification for more than 21 days in a period of 12 months.
- (2) A set of premises may be the subject of more than one temporary use notice in a period of 12 months (provided that the aggregate of the periods for which the notices have effect does not exceed 21 days).
- (3) If a temporary use notice is given to a licensing authority and subsection (1) would be contravened if the notice had effect for any part of the period specified in accordance with section 216(1)(d), the licensing authority shall give a counter-notice providing for the temporary use notice not to have effect.
- (4) Subsections (5) and (6) apply where a temporary use notice is given to a licensing authority and—
  - (a) subsection (1) would be contravened if the notice had effect for the whole of the period specified in accordance with section 216(1)(d) (“the specified period”), but
  - (b) the notice could have effect for some part of the specified period without resulting in contravention of subsection (1).
- (5) The licensing authority shall give a counter-notice providing that the temporary use notice—

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*Status: Point in time view as at 21/05/2007. This version of this provision is not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Gambling Act 2005, Section 218. (See end of Document for details)*

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- (a) shall not have effect during such part of the specified period as the licensing authority may specify in the counter-notice (“the excluded period”), and
  - (b) shall be treated for the purposes of this Part as if it related only to the non-excluded period.
- (6) Where there is a choice as to which part of the specified period to exclude under subsection (5), the licensing authority shall consult the person who gave the temporary use notice before giving a counter-notice by virtue of that subsection.
- (7) A counter-notice under this section shall have effect; and subsections (4) and (6) of section 224 shall apply in relation to a counter-notice given under this section as they apply in relation to a counter-notice given under that section.
- (8) For the purposes of this section a set of premises is the subject of temporary use notification (or of a notice) if any part of the premises is the subject of temporary use notification (or of a notice).

**Status:**

Point in time view as at 21/05/2007. This version of this provision is not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Gambling Act 2005, Section 218.