



Licensing (Scotland) Act 2005

2005 asp 16

PART 3

PREMISES LICENCES

Variation of premises licence

32 Further application after refusal of application for variation

- (1) Subsection (2) applies where a Licensing Board has refused a premises licence variation application (such a refusal being referred to in this section as the “earlier refusal”).
- (2) Subject to subsection (3), the Board must refuse any subsequent premises licence variation application—
 - (a) in respect of the same premises licence, and
 - (b) seeking the same variation,made before the expiry of the period of one year beginning with the date of the earlier refusal.
- (3) Subsection (2) does not apply in relation to any subsequent application made during that period if—
 - (a) at the time of the earlier refusal, the Board directed that the subsection would not apply to any subsequent application, or
 - (b) the Board is satisfied that there has been a material change of circumstances since the earlier refusal.