



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 9

### ALCOHOL LICENSING

#### 183 Premises licence applications: antisocial behaviour reports

- (1) The 2005 Act is amended as follows.
- (2) In section 22 (objections and representations), after subsection (2) insert—
  - “(2A) The appropriate chief constable may, under subsection (1)(b), make representations concerning a premises licence application by giving to the Licensing Board a report detailing—
    - (a) any cases of antisocial behaviour identified by constables as having taken place on, or in the vicinity of, the premises,
    - (b) any complaints or other representations made to constables concerning antisocial behaviour on, or in the vicinity of, the premises.”.
- (3) After section 24 insert—

#### “24A Power to request antisocial behaviour report

- (1) A Licensing Board may, at any time before determining a premises licence application, request the appropriate chief constable to give the Board a report detailing—
  - (a) all cases of antisocial behaviour identified within the relevant period by constables as having taken place on, or in the vicinity of, the premises,
  - (b) all complaints or other representations made within the relevant period to constables concerning antisocial behaviour on, or in the vicinity of, the premises.

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*Status: This is the original version (as it was originally enacted).*

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- (2) The appropriate chief constable must give the report within 21 days of the request.
- (3) Where the Licensing Board requests a report under subsection (1), the Board must suspend consideration of the application until it receives the report.
- (4) On receipt of the chief constable’s report under subsection (2), the Licensing Board must—
  - (a) give a copy of the report to the applicant in such manner and by such time as may be prescribed by regulations, and
  - (b) resume consideration of the application and determine it in accordance with section 23.
- (5) In this section—

“antisocial behaviour” has the same meaning as in section 143 of the Antisocial Behaviour etc. (Scotland) Act 2004 ([asp 8](#)), and

“relevant period” means the period of one year ending with the date of the request.”