
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 196

**The Gambling Act 2005 (Premises Licences and
Provisional Statements) (Scotland) Regulations 2007**

PART 5

Form of notice to be given on grant or rejection of applications

Form of notice to be given on grant of application

17.—(1) This regulation prescribes the form of the notice which a licensing authority is required to give under section 164(1)(a).

(2) Subject to the following provisions of this regulation and regulation 19, the notice shall be in the form specified in—

- (a) Part 1 of Schedule 7, where it relates to the grant of an application for a premises licence;
- (b) Part 2 of that Schedule, where it relates to the grant of an application to vary a premises licence;
- (c) Part 3 of that Schedule, where it relates to the grant of an application to transfer a premises licence;
- (d) Part 4 of that Schedule, where it relates to the grant of an application for the reinstatement of a premises licence; and
- (e) Part 5 of that Schedule, where it relates to the grant of an application for a provisional statement.

(3) Where, on granting an application, the licensing authority exercise their powers to attach one or more conditions to the licence, the notice under section 164(1)(a) must include an annex in the form set out in Part 6 of Schedule 7—

- (a) setting out the conditions; and
- (b) in relation to each condition, giving the authority's reasons for attaching it to the licence.

(4) Where, on granting an application, the licensing authority exercise their powers to exclude one or more conditions that would otherwise be attached to the licence, the notice under section 164(1)(a) must include an annex in the form set out in Part 7 of Schedule 7—

- (a) setting out the conditions to be excluded; and
- (b) in relation to each condition, giving the authority's reasons for excluding it.

(5) Where representations are made under section 161 in relation to an application which is granted by a licensing authority, the notice under section 164(1)(a) must include an annex in the form set out in Part 8 of Schedule 7—

- (a) setting out the representations; and
- (b) giving the authority's response to the representations.

(6) In relation to an application for a provisional statement—

- (a) any reference in paragraph (3) to conditions attached by the licensing authority is to have effect as a reference to those conditions which the authority would attach under section 169(1)(a) if a premises licence were granted in respect of the premises to which the provisional statement relates; and
- (b) any reference in paragraph (4) to conditions excluded by the licensing authority is to have effect as a reference to those conditions which the authority would exclude under section 169(1)(a) if a premises licence were granted in respect of the premises to which the provisional statement relates.

Form of notice to be given on rejection of application

18.—(1) This regulation prescribes the form of the notice which a licensing authority is required to give under section 165(1).

(2) Subject to regulation 19, the notice shall be in the form specified in—

- (a) Part 1 of Schedule 8, where it relates to the rejection of an application for a premises licence;
- (b) Part 2 of that Schedule, where it relates to the rejection of an application to vary a premises licence;
- (c) Part 3 of that Schedule, where it relates to the rejection of an application to transfer a premises licence;
- (d) Part 4 of that Schedule, where it relates to the rejection of an application for the reinstatement of a premises licence; or
- (e) Part 5 of that Schedule, where it relates to the rejection of an application for a provisional statement.

Matters not required to be included in a notice

19.—(1) Where matters are included in square brackets in any form in Schedule 7 or 8, they are intended to indicate and explain the information to be specified in the notice to which the form relates, and are not required to be included in the notice.

(2) The first page of a notice given by a licensing authority under section 164(1) or 165(1) may include any symbol or logo which is commonly used by that authority to identify documents produced by it.