



# Gambling Act 2005

## 2005 CHAPTER 19

### PART 8

#### PREMISES LICENCES

##### *Application for licence*

#### **159 Making of application**

- (1) A person may apply to a licensing authority for a premises licence to be issued to him authorising the use of premises to carry on an activity listed in section 37(1).
- (2) An application must be made to a licensing authority in whose area the premises are wholly or partly situated.
- (3) An application may be made only by a person who—
  - (a) holds an operating licence which authorises him to carry on the activity in respect of which the premises licence is sought, or
  - (b) has made an application, which has not yet been determined, for an operating licence which authorises him to carry on the activity in respect of which the premises licence is sought.
- (4) But subsection (3) does not apply to an application for a premises licence which authorises a track to be used for accepting bets (and which does not also, otherwise than by virtue of section 172, authorise it to be used for another purpose).
- (5) An application may be made only by a person who has a right to occupy the premises to which the application relates.
- (6) An application must—
  - (a) be made in the prescribed form and manner,
  - (b) contain or be accompanied by the prescribed information or documents, and
  - (c) be accompanied by the prescribed fee.

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*Status: This is the original version (as it was originally enacted).*

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- (7) Regulations prescribing a matter for the purposes of this section may, in particular, make different provision for—
- (a) applications in respect of different classes of activity, or
  - (b) different circumstances.
- (8) In this section “prescribed” means—
- (a) in relation to applications to authorities in England and Wales, prescribed by regulations made by the Secretary of State, and
  - (b) in relation to applications to authorities in Scotland, prescribed by regulations made by the Scottish Ministers.

## **160 Notice of application**

- (1) The Secretary of State may make regulations requiring an applicant for a premises licence—
- (a) to publish notice of his application;
  - (b) to give notice of his application to the responsible authorities in relation to the premises;
  - (c) to give notice of his application to other persons.
- (2) Regulations under subsection (1) shall include provision—
- (a) about the manner and form in which notice is to be published or given,
  - (b) about the period of time within which notice is to be published or given, and
  - (c) for the consequences of failure to comply with the regulations.
- (3) In so far as this section has effect in relation to applications to authorities in Scotland, the reference to the Secretary of State shall have effect as a reference to the Scottish Ministers.

## **161 Representations**

- (1) Where an application is made to a licensing authority for a premises licence, an interested party or responsible authority in relation to the premises may make representations in writing to the licensing authority.
- (2) Representations under subsection (1) must be made within such period as the Secretary of State shall prescribe by regulations.
- (3) In so far as this section has effect in relation to applications to authorities in Scotland, the reference to the Secretary of State shall have effect as a reference to the Scottish Ministers.