

South Ayrshire Licensing Board

Notes for Guidance for persons wishing to object/make representations in relation to an application for a premises licence in terms of the Licensing [Scotland] Act 2005

Who can object/make representations

In terms of section 22 of the above Act, any person can object or make representation to the Licensing Board in connection with an application for a premises licence, however, the Board may reject any objection/representation it considers **frivolous** or **vexatious** and recover **expenses** from the person making the objection/representation.

Time limit

Objections or representations, to be considered, **must** be made by the date specified by the Board on its website in relation to any particular application.

How

By completing the form and sending it to the Board Offices at the Town Buildings, 29 New Bridge Street, Ayr KA7 1JX either by conventional mail, in person, or by e – mail.

Objection

An objection must be relevant to the grounds upon which the Board may refuse an application. These are:-

- The premises are excluded premises in terms of section 123 of the Act.
- Must be refused under s.25[2],64[2] or 65[3]ie it is less than a year since a previous application refused, would be 24 hour drinking ,or off sales outwith 10.am to 10.pm.
- Granting the licence would be inconsistent with one or more of the licensing objectives ie a] preventing crime and disorder ;b] securing public safety; c] preventing public nuisance; d] protecting and improving public health ; e] protecting children from harm.
- That having regard to 1. the nature of the premises 2. location, character and condition of the premises and 3. the persons likely to frequent the premises. The premises are unsuitable.

- Having regard to the number and capacity of licensed premises or licensed premises of the same or similar description in the locality overprovision of licensed premises or licensed premises of a similar description in the locality would result.

It will not be sufficient to simply repeat the ground of refusal as the grounds of objection. An explanation and reasons as to why the ground/s of refusal should apply to the application should be provided.

Representations

Can be made:-

- In support of an application
- As to modifications which should be made to the operating plan
- As to conditions which should be imposed.

Persons wishing to make representations should complete the comment form.

Attendance at Hearings

Persons lodging Notice of Objection or Representation will be advised of the date and time of the Hearing of the Application and will have the opportunity to speak to their objections/representations.