



# 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.