

SCHEDULE

Article 2(5)

FORM 25 Antisocial Behaviour etc. (Scotland) Act 2004

Rule 3.27.6(1)

Section 27

**CLOSURE NOTICE**

1. The service of this closure notice is authorised by a senior police officer under section 26(1) of the Antisocial Behaviour etc. (Scotland) Act 2004 ("the Act").

2. The premises to which this closure notice relates are: *(specify premises)*.

3. Access to those premises by any person other than—  
(a) a person who habitually resides in the premises; or  
(b) the owner of the premises,

is prohibited.

4. Failure to comply with this notice is an offence which may result in a fine of up to £2,500 or imprisonment for a term of up to 3 months (or both). The penalties may be higher for repeated failure to comply with this (or any other) closure notice.

5. An application for the closure of these premises will be made under section 28 of the Act and will be considered at *(insert place including Room No. if appropriate)* on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ am/pm.

6. On such an application as set out in paragraph 5 being made, the sheriff may make a closure order under section 29 of the Act in respect of these premises.

7. The effect of the Closure Order in respect of these premises would be to close the premises to all persons (other than any person expressly authorised access by the sheriff in terms of section 29(3) of the Act) for such period not exceeding 3 months as is specified in the order. Measures may be taken to ensure that the premises are securely closed against entry by any person.

8. If you live on or have control of, responsibility for or an interest in the premises to which this closure notice relates and wish to oppose the application for a closure order, you should attend or be represented at the hearing mentioned in paragraph 5 of this notice.

9. If you would like further information or advice about housing or legal matters you can contact

*(specify at least two persons or organisations (including name and means of contacting) based in the locality of the premises who or which will be able to provide advice about housing and legal matters)*. You also have a legal right to advice from your local authority should you be threatened with possible homelessness.

FORM 26 Antisocial Behaviour etc. (Scotland) Act 2004

Rule 3.27.6(2)

Section 27

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### CERTIFICATION OF SERVICE

I (insert designation, including address and rank, of police officer) certify that a copy of the closure notice which was authorised by (insert designation of senior police officer) on (insert date on which closure notice was authorised) in respect of (insert details of the premises to which closure notice relates) was served on: (insert name and address of each person to whom a copy of the notice was given, including date)

.....  
.....  
.....  
.....  
.....

by (insert designation, including address and rank, of police officer who served the copy or copies of the closure notice and, if more than one, indicate which police officer served a copy of the notice on which of the persons listed above).

.....

**Signed**

(insert designation, including rank, of police officer)

FORM 27

Rule 3.27.7

Section 28

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

### Antisocial Behaviour etc. (Scotland) Act 2004

Sheriff Court .....

..... 20.....

(Court Ref No.)

#### **PART A**

APPLICATION FOR CLOSURE ORDER IN RESPECT OF PREMISES AT:

.....  
.....  
..... (“the Premises”)

#### **PART B**

1. This application is made [by/on behalf of] (*delete as appropriate*) (*insert name and rank of senior police officer*) of (*insert details of police force*).

2. Service of a closure notice on the Premises was authorised by (*insert details of senior police officer*) on the ..... day of ..... A copy of [the authorisation/written confirmation of such authorisation] (*delete as appropriate*) is attached.

3. A copy of the closure notice was, on the ..... day of ....., -

(a) fixed to:

(*insert details of all locations in, or used as part of, the Premises, to which a copy of the notice was fixed*) .....

.....  
.....  
.....  
..... ; and

(b) given to:

(*insert name and address of each person to whom a copy of the notice was given*) .....

.....  
.....  
.....  
.....

4. Certification in the prescribed form of service of the closure notice to the persons described at paragraph 3(b) above is attached.

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5. This application is made on the following grounds:

*(insert reasons for making application)*

.....  
.....  
.....  
.....  
.....

6. The following evidence is **[attached/supplied]** *(delete as appropriate)* in respect of this application *(insert short details of supporting evidence)*.

**PART C**

7. The applicant asks the court to—

- (a) assign the hearing for the ..... day of ..... at ..... am/pm; and
- (b) make a closure order in respect of the Premises.

..... Signed  
 Senior Police Officer for [Police Force] (Applicant)  
 or [X.Y.] Solicitor for Senior Police Officer  
*(add designation and business address)*

**FORM OF INTERLOCUTOR**

Sheriff Court ..... 20.....  
 (Court Ref No.)

The sheriff having considered this application assigns ..... at ..... within ..... as a hearing, this date having been previously intimated to known interested persons and published in the closure notice.

..... Signed  
 Sheriff

## FORM OF INTERLOCUTOR

Sheriff Court .....

..... 20.....

(Court Ref No.)

The sheriff having heard *(insert details of parties who attended the hearing)* and having considered the application [, being satisfied that the conditions mentioned in section 30(2) of the Antisocial Behaviour etc. (Scotland) Act 2004 are met] *(delete as appropriate)* and having regard to the matters mentioned in section 30(3) of the Antisocial Behaviour etc. (Scotland) Act 2004 (“the Act”),

\*1. makes an order under section 29(1) of the Act that the premises at *(insert details of premises)* are closed to all persons for a period of *(insert period)*.

\*2. directs intimation of this interlocutor to *(insert details of all known interested persons)* and by posting a copy thereof at prominent places on the premises at *(indicate where copies have been posted)*.

\*3. refuses to make a closure order in respect of the premises at *(insert details of premises)*.

\*4. postpones the determination of the application until *(insert date)* at *(insert time)* within *(insert location)*.

\*delete as appropriate

..... Signed

Sheriff

FORM 28 Antisocial Behaviour etc. (Scotland) Act 2004 Minute

Rule 3.27.8

Section 32

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

### Application for extension of closure order

Sheriff Court ..... 20.....  
(Court Ref No.)

#### **PART A**

##### **PREMISES IN RESPECT OF WHICH CLOSURE ORDER HAS BEEN MADE:**

.....  
.....  
..... ("the Premises")

#### **PART B**

1. This application is made [by/on behalf of] *(delete as appropriate) (insert name and rank of senior police officer) of (insert details of police force).*
2. A copy of the closure order made in respect of the Premises is attached. The closure order has effect until *(enter date).*
3. The applicant believes that it is necessary to extend the period for which the closure order has effect for the purpose of preventing relevant harm, on the following grounds: *(specify reasons for extension).*
4. *(insert details of local authority)* has been consulted about the applicant's intention to make this application

#### **PART C**

5. The applicant asks the court to—
  - (c) fix a hearing;
  - (d) order the applicant to intimate this application and the date of the hearing to such persons as the sheriff considers appropriate; and
  - (e) extend the closure order in respect of the Premises for a period of [months/days] *(delete as appropriate)* or for such period not exceeding 6 months as the court may consider appropriate.

..... Signed  
Senior Police Officer for [Police Force] (Applicant)  
or [X.Y.] Solicitor for Senior Police Officer  
*(add designation and business address)*

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## FORM OF INTERLOCUTOR

Sheriff Court ..... 20.....  
(Court Ref No.)

The sheriff having considered this minute orders the applicant to intimate this application and interlocutor to.....; assigns..... at ..... within ..... as a hearing and directs any person wishing to oppose the granting of the application to appear or be represented at the hearing to show cause why the application should not be granted.

..... Signed  
Sheriff

## FORM OF INTERLOCUTOR

Sheriff Court ..... 20.....  
(Court Ref No.)

The sheriff having heard *(insert details of parties who attended the hearing)* [and] having considered this minute [and being satisfied that the condition mentioned in section 32(1) of the Antisocial Behaviour etc. (Scotland) Act 2004 is met] *(delete as appropriate)*,

\*1. makes an order extending the closure order made under section 29(1) of the Antisocial Behaviour etc. (Scotland) Act 2004 in respect of the premises at *(insert details of premises)* for a period of *(insert period)*.

\*2. directs intimation of this interlocutor to *(insert details of persons to whom sheriff considers it to be appropriate to intimate)* and by posting a copy thereof at prominent places on the premises at *(indicate where copies have been posted)*.

\*3. refuses to make an order extending the closure order in respect of the premises at *(insert details of premises)*.

\*4. postpones the determination of the application until *(insert date)* at *(insert time)* within *(insert location)*.

\*delete as appropriate

..... Signed  
Sheriff

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FORM 29 Antisocial Behaviour etc. (Scotland) Act 2004 Minute

Rule 3.27.9

Section 33

Application for revocation of closure order

Sheriff Court ..... 20.....  
(Court Ref No.)

**PART A**

PREMISES IN RESPECT OF WHICH CLOSURE ORDER HAS BEEN MADE:

.....  
.....  
..... (“the Premises”)

The applicant is *(insert name and address of applicant)* who is:

- \*1, a senior police officer of the police force for the area within which the Premises (or part thereof) are situated.
  - \*2, the local authority for the area within which the Premises or part thereof are situated.
  - \*3, a person on whom a copy of the closure notice relating to the Premises in respect of which the closure order has effect was served under section 27(2)(b) or (3) of the Antisocial Behaviour etc (Scotland) Act 2004.
  - \*4, a person who has an interest in these premises but on whom the closure notice was not served.
- \*delete as appropriate.

**PART B**

- 1. A copy of the closure order made in respect of the Premises is attached.
- 2. The applicant believes that a closure order in respect of the Premises is no longer necessary to prevent the occurrence of relevant harm for the following reasons *(specify grounds for application for revocation)*.

**PART C**

- 3. The applicant asks the court to:
  - (a) fix a hearing;
  - (b) order the applicant to intimate this application and the date of the hearing to such persons as the sheriff considers appropriate and, where the applicant is not a senior police officer, to such senior police officer as the sheriff considers appropriate; and



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(c) order the revocation of the closure order.

..... Signed  
Applicant (include full designation)  
or [X,Y] Solicitor for Applicant (include full designation and business address)

### FORM OF INTERLOCUTOR

Sheriff Court ..... 20.....  
(Court Ref No.)

The sheriff having considered this minute orders the applicant to intimate this application and interlocutor to..... assigns.....at ..... within ..... as a hearing and directs any person wishing to oppose the granting of the application to appear or be represented at the hearing to show cause why the application should not be granted.

..... Signed  
Sheriff

### FORM OF INTERLOCUTOR

Sheriff Court ..... 20.....  
(Court Ref No.)

The sheriff having heard (insert details of parties who attended the hearing) [and] having considered this minute [and being satisfied that a closure order is no longer necessary to prevent the occurrence of relevant harm] (delete as appropriate),

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\*1. makes an order revoking the closure order made under section 29(1) of the Antisocial Behaviour etc. (Scotland) Act 2004 in respect of the premises at *(insert details of the premises)*.

\*2. directs intimation of this interlocutor to *(insert details of persons to whom sheriff considers it to be appropriate to intimate)*.

\*3. refuses to make an order revoking the closure order in respect of the premises at *(insert details of the premises)*.

\*4. postpones the determination of the application until *(insert date)* at *(insert time)* within *(insert location)*.

\*delete as appropriate

..... Signed  
Sheriff

FORM 30 Antisocial Behaviour etc. (Scotland) Act 2004 Minute

Rule 3.27.10

Section 34

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Application for access to premises in respect of which a closure order is in force

Sheriff Court ..... 20.....  
(Court Ref No.)

**PART A**

**PREMISES IN RESPECT OF WHICH CLOSURE ORDER HAS BEEN MADE:**

.....  
.....  
..... ("the Premises")

**PREMISES IN RESPECT OF WHICH APPLICATION FOR ACCESS IS BEING MADE:**

.....  
.....  
.....

**PART B**

1. A copy of the closure order made in respect of the Premises is attached. The closure order has effect until *(insert date)*.
2. The applicant *(insert details of applicant)* [ownstoccupies] *(delete as appropriate)* the following [part of] *(delete as appropriate)* building or structure in which the Premises are situated and in respect of which the closure order does not have effect.

**PART C**

3. The applicant asks the court to:
  - (a) fix a hearing;
  - (b) order the applicant to intimate this application and the date of the hearing to such persons as the sheriff considers appropriate and, where the applicant is not a senior police officer, to such senior police officer as the sheriff considers appropriate; and

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(c) make an order allowing access (detail access provisions requested).

..... Signed  
Applicant (include full designation)  
or [X.Y.] Solicitor for Applicant (include full designation and business address)

### FORM OF INTERLOCUTOR

Sheriff Court ..... 20.....  
(Court Ref No.)

The sheriff having considered this minute orders the applicant to intimate this application and interlocutor to..... assigns..... at ..... within ..... as a hearing and directs any person wishing to oppose the granting of the application to appear or be represented at the hearing to show cause why the application should not be granted.

..... Signed  
Sheriff

### FORM OF INTERLOCUTOR

Sheriff Court ..... 20.....  
(Court Ref No.)

The sheriff having heard (insert details of parties who attended the hearing) and having considered this minute,

\*1. makes an order an order allowing (insert name and address)

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.....

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access to the following part or parts of the premises at *(insert details of premises)* in relation to which a closure order has been made under section 29(1) of the Antisocial Behaviour etc. (Scotland) Act 2004: *(insert details of parts of premises to which access order is to apply)*

.....  
.....  
.....

\*2. directs intimation of this interlocutor to *(insert details of all known interested persons to whom the sheriff considers it to be appropriate to intimate)*.

\*3. refuses to make an access order in respect of the premises at *(insert details of premises)*.

\*4. postpones the determination of the application until *(insert date)* at *(insert time)* within *(insert location)*.

\*delete as appropriate

..... Signed  
Sheriff

FORM 31 Antisocial Behaviour etc. (Scotland) Act 2004

Rule 3.27.16

Section 13, 102 or 105

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Intimation that court may make or revoke or vary a parenting order

Sheriff Court .....

..... 20.....

(Court Ref No.)

**PART A**

**This part must be completed by the applicant's solicitor in language a child is capable of understanding**

To (1)

The Sheriff (the person who has to decide about the parenting order) has been asked by (2) to decide:-

- (a) (3) and (4);
- (b) (5);
- (c) (6).

If you want to tell the Sheriff what you think about the things (2) has asked the Sheriff to decide about your future you should complete Part B of this form and send it to the Sheriff Clerk at (7) by (8). An envelope which does not need a postage stamp is enclosed for you to use to return the form.

**IF YOU DO NOT UNDERSTAND THIS FORM OR IF YOU WANT HELP TO COMPLETE IT you may get free help from a SOLICITOR or contact the SCOTTISH CHILD LAW CENTRE ON the FREE ADVICE TELEPHONE LINE ON 0800 317 500.**

If you return the form it will be given to the Sheriff. The Sheriff may wish to speak with you and may ask you to come and see him or her.

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**NOTES FOR COMPLETION**

(1) Insert name and address of child.	(2) Insert description of party making the application to the court.
(3) Insert appropriate wording for parenting order sought. (5) Insert appropriate wording for contact.	(4) Insert appropriate wording, if relevant, for Antisocial Behaviour Order. (6) Insert appropriate wording for any other order sought or determinations to be made by sheriff.
(7) Insert address of sheriff clerk.	(8) Insert the date occurring 21 days after the date on which intimation is given.
(9) Insert court reference number.	(10) Insert name and address of parties to the action.

**PART B**

**IF YOU WISH THE SHERIFF TO KNOW YOUR VIEWS ABOUT THE PARENTING ORDER YOU SHOULD COMPLETE THIS PART OF THE FORM**

To the Sheriff Clerk, (7)

Court Ref. No. (9)

(10) .....

**QUESTION (1): DO YOU WISH THE SHERIFF TO KNOW WHAT YOUR VIEWS ARE ABOUT THE PARENTING ORDER?**

(PLEASE TICK BOX)

YES	
NO	

If you have ticked YES please also answer Question (2) or (3)

**QUESTION (2): WOULD YOU LIKE A FRIEND, RELATIVE OR OTHER PERSON TO TELL THE SHERIFF YOUR VIEWS ABOUT THE PARENTING ORDER?**

(PLEASE TICK BOX)

YES	
NO	

If you have ticked YES please write the name and address of the person you wish to tell the Sheriff your views in Box (A) below. You should also tell that person what your views are about the parenting order.

BOX A:	(NAME).....				
	(ADDRESS).....				
	.....				
	.....				
Is this person	<table border="1"> <tr> <td>A friend?</td> <td>A relative?</td> </tr> <tr> <td>A teacher?</td> <td>Other?</td> </tr> </table>	A friend?	A relative?	A teacher?	Other?
A friend?	A relative?				
A teacher?	Other?				

OR

**QUESTION (3): WOULD YOU LIKE TO WRITE TO THE SHERIFF AND TELL HIM WHAT YOUR VIEWS ARE ABOUT THE PARENTING ORDER?**





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Form of notice to local authority requesting a report in respect of a child

Sheriff Court .....

..... 20.....

(Court Ref No.)

To *(insert name and address)*

**1. YOU ARE GIVEN NOTICE** that in an action in the Sheriff Court at *(insert address)* an application for [the variation/revocation of] *(delete as appropriate)* a parenting order is being considered in respect of a parent of the child *(insert name of child)*. A copy of the application is enclosed.

**2.** You are required to submit to the court a report on all the circumstances of the child, including but not limited to:

- (a) the current or proposed arrangements for the care and upbringing of the child;
- (b) information about the family circumstances of the parent; and
- (c) the likely effect of a parenting order on the family circumstances of the parent and the child.

**3.** This report should be sent to the Sheriff Court at ..... on or before ..... *(insert date)*.

Date *(insert date)*

.....

Signed:

*Applicant (include full designation)*

or [X.Y.] Solicitor for Applicant *(include full designation and business address)*

or Sheriff Clerk