
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 504

**The Club Gaming and Club Machine
Permits (Scotland) Regulations 2007**

Consideration of application

9.—(1) The Licensing Board to whom an application for a permit is made must consider the application and—

- (a) grant it, or
- (b) refuse it.

(2) A Licensing Board may refuse an application for a permit only on one or more of the following grounds (having regard to the matters mentioned in regulation 23(1))—

- (a) that the applicant is not—
 - (i) in the case of an application for a club gaming permit, a members' club or a miners' welfare institute, or
 - (ii) in the case of an application for a club machine permit, a members' club, a commercial club or a miners' welfare institute,
- (b) that the premises on which the applicant conducts its activities are used wholly or mainly by children, by young persons or by both,
- (c) that an offence, or a breach of a condition of a permit, has been committed in the course of gaming activities carried on by the applicant,
- (d) that a permit held by the applicant has been cancelled during the period of 10 years ending with the date of the application, or
- (e) that an objection to the application has been made under regulation 8.

(3) If a Licensing Board is satisfied in relation to an application for a permit of the matters specified in paragraph (2)(a) or (b), it must refuse the application.

(4) Subject to paragraph (5), before refusing an application for a permit a Licensing Board must hold a hearing to consider the application and any objection made under regulation 8.

(5) A Licensing Board may dispense with the requirement for a hearing with the consent of—

- (a) the applicant, and
- (b) any person who has made (and not withdrawn) an objection under regulation 8.