

SCHEDULES

SCHEDULE 3

LICENSING OF TRACKS FOR BETTING

Revocation of licence and appeal therefrom

- 13 (1) At any time while a track betting licence is in force in respect of any track, the (licensing authority by whom it was granted may, after giving to the holder of the licence an opportunity of being heard, revoke the licence—
- (a) if they are satisfied that the track has been conducted in a disorderly manner or so as to cause a nuisance; or
 - (b) if without their approval, to be given after such notice as they deem proper, the accommodation for spectators on the track as stated in the notice under paragraph 5 (1) of this Schedule has been substantially increased, or the exits from the track as described in that notice have been materially altered, and the authority are satisfied that undue congestion of traffic, or serious prejudice to the preservation of law and order has resulted therefrom ; or
 - (c) if on a report made to them by the accountant appointed under Schedule 5 to this Act, or upon a refusal of that accountant to give such a certificate as is mentioned in paragraph 15 of that Schedule, they are satisfied that any totalisator on the track has been maintained or operated otherwise than in accordance with the provisions of that Schedule ; or
 - (d) if the holder of the licence or, where the holder is a body corporate, any director or the manager thereof is convicted of any offence such as is mentioned in paragraph 7 (3) (a) or (c) of this Schedule ;
- and if the authority revoke any such licence, they shall forthwith send notice of the revocation by post to the holder of the licence and to the appropriate officer or officers of police.
- (2) The holder of a licence in respect of a track in England which has been revoked under the foregoing sub-paragraph may appeal in accordance with the provisions of the Quarter Sessions Act 1849 to the next practicable court of quarter sessions having jurisdiction in the area in which the track or the greater part of the superficial area thereof is situated and held not later than twenty-one clear days after notice of the revocation is given to him' by the licensing authority, and notice of any appeal under this sub-paragraph shall be given to the licensing authority and to the clerk of the peace.
- (3) The holder of a licence in respect of a track in Scotland which has been revoked under sub-paragraph (1) of this paragraph may appeal, within such time, and in accordance with such rules, as may be prescribed by the Court of Session by act of sederunt, to the sheriff having jurisdiction in the area in which the track in respect of which the licence was held, or the greater part of the superficial area thereof, is situated, and on any such appeal the decision of the sheriff shall be final and may include such order as to the expenses of the appeal as he thinks proper.

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

- (4) Where a licensing authority revoke a licence under sub-paragraph (1) of this paragraph, then, until the time within which notice of appeal under sub-paragraph (2) or (3) of this paragraph may be given has expired and, if such notice is given, until the determination or abandonment of the appeal, the licence shall be deemed to continue in force, and if the court of quarter sessions or, as the case may be, the sheriff confirms the decision of the licensing authority, the court or the sheriff may, if it or he thinks fit, order that the licence shall continue in force for a further period not exceeding two months from the date of the order.