



Zoo Licensing Act 1981

1981 CHAPTER 37

Licences

3 Consideration of application.

- (1) On the consideration of an application for a licence the local authority shall take into account any representations made by or on behalf of any of the persons mentioned in subsection (2).
- (2) The persons are:—
 - (a) the applicant;
 - (b) the chief officer of police (or in Scotland the chief constable) for any area in which the whole or any part of the zoo is situated;
 - [^{F1}(c) the relevant fire and rescue authority;]
 - [^{F2}(c) the appropriate authority]
 - (d) the governing body of any national institution concerned with the operation of zoos;
 - (e) where part of the zoo is not situated in the area of the local authority with power to grant the licence
 - [^{F3}(i)] a planning authority for the area in which the part is situated (other than a county planning authority ^{F4}...); [^{F5}or
 - (ii) if the part is situated in Wales, the local planning authority for the area in which it is situated;]
 - (f) any person alleging that the establishment or continuance of the zoo would injuriously affect the health or safety of persons living in the neighbourhood of the zoo;
 - (g) any other person whose representations might, in the opinion of the local authority, show grounds on which the authority has a power or duty to refuse to grant a licence.

[^{F6}(3) In subsection (2) “the relevant fire and rescue authority” means—

- (a) where the Regulatory Reform (Fire Safety) Order 2005 applies to the zoo—

Changes to legislation: There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 3. (See end of Document for details)

- (i) the enforcing authority within the meaning given by article 25 of that Order, and
- (ii) the fire and rescue authority under the Fire and Rescue Services Act 2004 for the area in which the whole or any part of the zoo is situated, if that authority is not the enforcing authority mentioned in subparagraph (i);
- (b) in any other case, the fire and rescue authority under the Fire and Rescue Services Act 2004 for the area in which the whole or any part of the zoo is situated .]

[^{F7}(3) In subsection (2) “the appropriate authority” means—

- (a) where Part 3 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#) applies in relation to the zoo—
 - (i) the enforcing authority within the meaning of section 61(9) of that Act, and
 - [^{F8}(ii) the Scottish Fire and Rescue Service, if it is not the enforcing authority,]
- (b) in any other case, the [^{F9}Scottish Fire and Rescue Service].]

Textual Amendments

- F1** S. 3(2)(c) substituted (E.W.) (1.10.2006) by [The Regulatory Reform \(Fire Safety\) Order 2005 \(S.I. 2005/1541\)](#), art. 1(3), **Sch. 2 para. 21(a)** (with art. 49) (as amended by [The Regulatory Reform \(Fire Safety\) Subordinate Provisions Order 2006 \(S.I. 2006/484\)](#), **arts. 1(I), 2**)
- F2** S. 3(2)(c) substituted (S.) (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, **sch. 1 para. 10(2)**
- F3** Word in s. 3(2)(e) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 62(2)** (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1996/396, art. 4, **Sch. 2**
- F4** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F5** S. 3(2)(e)(ii) and word inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 62(2)** (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1996/396, art. 4, **Sch. 2**
- F6** S. 3(3) inserted (E.W.) (1.10.2006) by [The Regulatory Reform \(Fire Safety\) Order 2005 \(S.I. 2005/1541\)](#), art. 1(3), **Sch. 2 para. 21(b)** (with art. 49) (as amended by [The Regulatory Reform \(Fire Safety\) Subordinate Provisions Order 2006 \(S.I. 2006/484\)](#), **arts. 1(I), 2**)
- F7** S. 3(3) inserted (S.) (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) Order 2006 \(S.S.I. 2006/475\)](#), art. 1, **sch. 1 para. 10(3)**
- F8** S. 3(3)(a)(ii) substituted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), **sch. 7 para. 52(a)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F9** Words in s. 3(3)(b) substituted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), **sch. 7 para. 52(b)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Changes to legislation:

There are currently no known outstanding effects for the Zoo Licensing Act 1981, Section 3.