

## SCHEDULES

### SCHEDULE 3

#### LICENSING OF TRACKS FOR BETTING

##### *Grant or refusal of licence*

- 7 (1) The provisions of this paragraph shall have effect with respect to any application to a licensing authority for the grant of a track betting licence in respect of any trade
- (2) The licensing authority may refuse to grant the licence if they are satisfied that, in the event of the licence being granted, the existence or user of the track—
- (a) would injuriously affect either the health or the comfort of persons residing in the neighbourhood of the track, or be detrimental to the interests of persons receiving instruction or residing in any school or institution in that neighbourhood; or
  - (b) would seriously impair the amenities of that neighbourhood ; or
  - (c) would result in undue congestion of traffic or seriously prejudice the preservation of law and order.
- (3) The licensing authority may also refuse to grant the licence if the applicant or, where the applicant is a body corporate, any director or the manager thereof has been convicted—
- (a) of an offence under any of the following provisions of this Act, that is to say, sections 1 (1) (a), 4 (1), 5, 6, 7, 16, 18, 19, 21 and 23 and paragraphs 11 and 17 of Schedule 5;
  - (b) of any offence under Part I of, or Schedule 1 to, The Betting and Lotteries Act 1934 or under section 7 of the Betting and Gaming Act 1960; or
  - (c) of any offence involving fraud or dishonesty.
- (4) If the licensing authority are not satisfied that any planning permission required under Part III of the Town and Country Planning Act 1962 or under the Town and Country Planning (Scotland) Act 1947 for the establishment of the track, or for the continuance of the track during the period for which the licence would be in force, has been, or is deemed to be, granted, they shall either refuse to grant the licence or grant the licence but suspend its operation until the local planning authority within the meaning of the said Act of 1962 or, as the case may be, 1947 have notified the licensing authority that any such planning permission has been, or is deemed to be, granted.
- (5) Save as is mentioned in sub-paragraph (2), (3) or (4) of this paragraph, the licensing authority shall not refuse the application ; and if they do refuse it they shall send to the applicant by post a written statement of the grounds of their refusal.