

Status: Point in time view as at 28/02/2011.

Changes to legislation: Civic Government (Scotland) Act 1982, Cross Heading: Objections and representations is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

LICENSING—FURTHER PROVISIONS AS TO THE GENERAL SYSTEM

Modifications etc. (not altering text)

C1 Sch. 1: power to apply conferred (18.11.1996) by 1996 c. 58, ss. 33(3), 48(6)

Objections and representations

- 3 (1) Any objection or representation relating to an application for the grant or renewal of a licence shall, subject to sub-paragraph (2) below, be entertained by the licensing authority if, but only if, the objection or representation—
- (a) is in writing;
 - (b) specifies the grounds of the objection or, as the case may be, the nature of the representation;
 - (c) specifies the name and address of the person making it;
 - (d) is signed by him or on his behalf;
 - (e) was made to them within [^{F1}28] days of whichever is the later or, as the case may be, latest of the following dates—
 - (i) where public notice of the application was given under paragraph 2(7) above, the date when it was first so given;
 - (ii) where the application relates to a licence for an activity which is wholly or mainly to be carried out in premises and the authority have specified a date under paragraph 2(6) above, that date;
 - (iii) in any other case, the date when the application was made to them.
- (2) Notwithstanding sub-paragraph (1)(e) above, it shall be competent for a licensing authority to entertain an objection or representation received by them before they take a final decision upon the application to which it relates if they are satisfied that there is sufficient reason why it was not made in the time required under that sub-paragraph.
- (3) An objection or representation shall be made for the purposes of sub-paragraph (1) above if it is delivered by hand within the time there specified to the licensing authority or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered to them within that time.
- (4) The licensing authority shall send a copy of any relevant objection or representation (within the meaning of paragraph 19 below) to the applicant to whose application it relates.

Status: Point in time view as at 28/02/2011.

Changes to legislation: Civic Government (Scotland) Act 1982, Cross Heading: Objections and representations is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Word in Sch. 1 para. 3(1)(e) substituted (28.2.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), **ss. 178(2)(e)**, 206(1); S.S.I. 2010/413, art. 2, sch. (with sch.)

Status:

Point in time view as at 28/02/2011.

Changes to legislation:

Civic Government (Scotland) Act 1982, Cross Heading: Objections and representations is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.