



Gambling Act 2005

2005 CHAPTER 19

PART 8

PREMISES LICENCES

Appeals

207 Process

- (1) An appeal under section 206 in relation to premises must be instituted—
 - (a) in the magistrates' court for a local justice area in which the premises are wholly or partly situated,
 - (b) by notice of appeal given to the designated officer, and
 - (c) within the period of 21 days beginning with the day on which the appellant receives notice of the decision against which the appeal is brought.
- (2) Where an appeal is brought under section 206 the licence holder (or the applicant in the case of an appeal against the grant of an application for a premises licence) shall be a respondent in addition to the licensing authority (unless he is the appellant).
- (3) On an appeal under section 206 the magistrates' court may—
 - (a) dismiss the appeal;
 - (b) substitute for the decision appealed against any decision that the licensing authority could have made;
 - (c) remit the case to the licensing authority to decide in accordance with a direction of the court;
 - (d) make an order about costs.
- (4) Section 206 applies to a decision of a licensing authority following remittal under subsection (3)(c) above.
- (5) In relation to premises in Scotland—
 - (a) subsection (1)(a) shall have effect as if it referred to a sheriff within whose sheriffdom the premises are wholly or partly situated,

Status: This is the original version (as it was originally enacted).

- (b) subsection (1)(b) shall not have effect,
- (c) the reference in subsection (3) to the magistrates' court shall have effect as a reference to the sheriff, and
- (d) the reference in subsection (3) to costs shall have effect as a reference to expenses.