

SCHEDULES

SCHEDULE 3

LICENSING OF TRACKS FOR BETTING

Applications for licences

- 3 An application for the grant of a track betting licence may be made to the licensing authority—
- (a) in respect of an existing track, by the occupier thereof; or
 - (b) in respect of a track which it is proposed to construct, by any person who proposes to become the occupier of the track if the licence is granted.
- 4 Each licensing authority may from time to time fix dates on which they will entertain applications for the grant of track betting licences by them and shall cause information as to any dates so fixed to be given to any person who asks for it
- 5 (1) No application for a track betting licence shall be entertained by the licensing authority unless, at least two months before the date on which the application is made, the applicant has given to the licensing authority and to each of the authorities specified in sub-paragraph (2) of this paragraph notice in writing—
- (a) stating that it is intended to make the application on that date; and
 - (b) describing the situation of the track and the number and position of the exits provided or intended to be provided; and
 - (c) stating the number of spectators for whom accommodation is provided or is intended to be provided, and has also published such a notice in at least two newspapers circulating in the locality in which the track is situated.
- (2) The authorities referred to in the foregoing sub-paragraph are—
- (a) if the track is situated in England—
 - (i) the council of any county district or metropolitan borough in which the track or any part thereof is situated; and
 - (ii) the local planning authority within the meaning of the Town and Country Planning Act 1962 for any area which includes the track or any part thereof;
 - (b) if the track is situated in Scotland—
 - (i) the council of any county or burgh within which the track or any part thereof is situated; and
 - (ii) the local planning authority within the meaning of the Town and Country Planning (Scotland) Act 1947 for any area which includes the track or any part thereof,where that council or authority are not the licensing authority;
 - (c) the appropriate officer or officers of police.
- (3) Every notice given to the licensing authority under sub-paragraph (1) of this paragraph shall, until the hearing of the application to which the notice relates, be

Status: This is the original version (as it was originally enacted).

kept by the licensing authority at their offices so as to be available, at any time during office hours, for inspection by any member of the public free of charge.

- 6 (1) Upon the consideration by the licensing authority of an application for the grant of a track betting licence, the following persons in addition to the applicant shall be entitled to be heard in person or by a representative, that is to say—
- (a) any appropriate officer of police ;
 - (b) any person owning or occupying premises in the neighbourhood of the track;
 - (c) the governing body of any school or institution in the neighbourhood of the track;
 - (d) if the track is situated in England, any of the authorities specified in sub-paragraph (2) of this paragraph;
 - (e) if the track is situated in Scotland, any of the authorities specified in sub-paragraph (3) of this paragraph:

Provided that no objector shall be heard unless he has given to the applicant and to the licensing authority at least seven days' notice in writing of the grounds on which he proposes to contend that the application ought to be refused.

- (2) The authorities referred to in sub-paragraph (1) (d) of this paragraph are—
- (a) the local planning authority within the meaning of the Town and Country Planning Act 1962 for any area which includes the track or any part thereof;
 - (b) the council of any county district or metropolitan borough in which the track or any part thereof is situated ;
 - (c) any other local authority whose area adjoins any such county district or metropolitan borough:

Provided that no local authority shall be entitled to be heard as an objector if the licensing authority are a committee of that local authority or a joint committee including persons appointed by that local authority.

In this sub-paragraph, the expression " local authority " means any of the following councils, that is to say, the council of a county, county borough, metropolitan borough or county district and the Common Council of the City of London.

- (3) The authorities referred to in sub-paragraph (1) (a) of this paragraph are—
- (a) the council of any county or burgh adjoining the area of the licensing authority;
 - (b) where the licensing authority are a county council or a joint county council, the town council of any burgh situated in the county, or in either of the counties combined;
 - (c) where the licensing authority are a town council, the council of the county in which the burgh is situated.