

Annexe

PROCEDURE FOR DEALING WITH APPLICATIONS UNDER THE LICENSING ACT 2003 AND SUCH OTHER APPLICATIONS AS MAY BE DELEGATED FOR DETERMINATION BY A LICENSING SUB-COMMITTEE

THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

Statutory Instrument 2005 No.44

		Schedule 1		Schedule 2	Schedule 3		
	Provision under which hearing is held	Period of Time within which hearing must be held	Time by which notice of hearing must be given	Persons who must be given notice of hearing	Persons who must be sent documents with notice of hearing	Documents to accompany notice of hearing	Time within which applicant must give notice to the authority under R.8
A	B	C	D	E	F	G	H
1.	Section 18(3)(a) (determination of application for premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c)	No later than 10 working days before hearing	(1) the person who has made the application under section 17(1); (2) persons who have made relevant representations as defined in section 18(6)	The person who has made the application under section 17(1)	The relevant representations as defined in section 18(6) which have been made	No later than 5 working days before the day or the first day on which the hearing is to be held
2.	Section 31(3)(a) (determination of application for a provisional statement)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 30	No later than 10 working days before hearing	(1) the person who has made the application under section 29(2); (2) persons who have made relevant representations as defined in section 31(5)	The person who has made the application under section 29(2)	The relevant representations as defined in section 31(5) which have been made	No later than 5 working days before the day or the first day on which the hearing is to be held
3.	Section 35(3)(a) (determination of	20 working days beginning with the day after the end of the period	No later than 10 working days	(1) The holder of the premises licence who has	The holder of the premises holder	The relevant representations as	No later than 5 working days

	application to vary premises licence)	during which representations may be made as prescribed under section 17(5)(c) by virtue of section 34(5)	before hearing	made the application under section 34(1); (2) Persons who have made relevant representations as defined in section 35(5)	who has made the application under section 34(1)	defined in section 35(5) which have been made	before the day or the first day on which the hearing is to be held
4.	Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor)	20 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 37(5)	No later than 10 working days before hearing	(1) The holder of the premises licence who has made the application under section 37(1); (2) Each chief officer of police who has given notice under section 37(5); (3) The proposed individual as referred to in section 37(1)	(1) the holder of the premises licence who has made the application under section 37(1) (2) the proposed individual as referred to in section 37(1)	The notices which have been given under section 37(6)	No later than 5 working days before the day or on the first day on which the hearing is to be held
5.	Section 44(5)(a) (determination of application for transfer of premises licence)	20 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 42(6)	No later than 10 working days before hearing	(1) The person who has made the application under section 42(1) (2) Each chief officer of police who has given notice under section 42(6) (3) The holder of the premises licence in respect of which the application has been made or, if the application is one to which section 43(1) applies, the holder of that licence immediately before the	(1) The person who has made the application under section 42(1) (2) The holder of the premises licence in respect of which the application has been made or, if the application is one to which section 43(1) applies, the holder of that licence immediately before	The notices which have been given under section 42(6)	No later than 5 working days before the day or on the first day on which the hearing is to be held

				application was made	the application was made		
6.	Section 48(3)(a) (cancellation of interim authority notice following police objections)	5 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 48(2)	No later than 2 working days before hearing	(1) The person who has given notice under section 47(2) (2) Each chief officer of police who has given notice under section 48(2)	The person who has given notice under section 47(2)	The notices which have been given under section 48(2)	No later than 1 working day before the day or the first day on which the hearing is to be held

7.	Section 52(2) (determination of application for review of premises licence)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 51(3)(c)	No later than 10 working days before hearing	(1) The holder of the premises licence in respect of which the application has been made; (2) Persons who have made relevant representations as defined in section 52(7) (3) the person who has made the application under section 51(1)	The holder of the premises licence in respect of which the application has been made	The relevant representations as defined in section 52(7) which have been made	No later than 5 working days before the day or on the first day on which the hearing is to be held
8.	Section 72(3)(a) (determination of application for club premises certificate)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c)	No later than 10 working days before hearing	(1) The club which has made the application under section 71(1) (2) Persons who have made relevant representations as defined in section 72(7)	The club which has made the application under section 71(1)	The relevant representations as defined in section 72(7) which have been made	No later than 5 working days before the day or on the first day on which the hearing is to be held
9.	Section 85(3)(a) (determination of application to vary club premises certificate)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c) by virtue of section 84(4)	No later than 10 working days before hearing	(1) The club which has made the application under section 84(1) (2) Persons who have made relevant representations as defined in section 85(5)	The club which has made the application under section 84(1)	The relevant representations as defined in section 85(5) which have been made	No later than 5 working days before the day or the first day on which the hearing is to be held
10.	Section 88(2) (determination of application for review of club premises certificate)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 87(3)(c)	No later than 10 working days before hearing	(1) The club which holds the club premises certificate in respect of which the application has been made; (2) Persons who have made relevant	The club which holds the club premises certificate in respect of which the application has been made.	The relevant representations as defined in section 88(7) which have been made	No later than 5 working days before the day or the first day on which the hearing is to be held

				representations as defined in section 88(7) (3) The person who has made the application under section 87(1)			
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11.	Section 105(2)(a) (counter notice following police objection to temporary event notice)	7 days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 104(2)	No later than 2 working days before hearing	(1) The premises user; (2) Each chief officer of police who has given notice under section 104(2)			No later than 1 working day before the day or on the first day on which the hearing is to be held
12.	Section 120(7)(a) (determination of application for grant of personal licence)	20 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 120(5)	No later than 10 working days before hearing	(1) The person who has made the application under section 117(1) (2) The chief officer of police who has given notice under section 120(5)	The person who has made the application under section 117(1)	The notice which has been given under section 120(5)	No later than 5 working days before the day or on the first day on which the hearing is to be held
13.	Section 121(6)(a) (determination of application for the renewal of personal licence)	20 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 121(3)	No later than 10 working days before hearing	(1) The person who has made the application under section 117(1) (2) The chief officer of police who has given notice under section 124(3)	The person who has made the application under section 117(1)	The notice which has been given under section 121(3)	No later than 5 working days before the day or on the first day on which the hearing is to be held
14.	Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence)	20 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under section 124(3)	No later than 10 working days before hearing	(1) The holder of the licence in respect of which the notice has been given (2) The chief officer of police who has given notice under section 124(3)	The holder of the licence in respect of which a notice has been given	The notice which has been given under section 124(3)	No later than 5 working days before the day or the first day on which the hearing is to be held
15.	Section 167(5)(a) (review of premises licence following closure order)	10 working days beginning with the day after the day the relevant licensing authority receives the notice given under section 165(4)	No later than 5 working days before hearing	(1) The holder of the premises licence in respect of which the review has been made (2) Persons who have	The holder of the premises licence in respect of which the review has been made	The relevant representations as defined in section 167(9) which have been made	No later than 2 working days before the day or the first day on which the hearing

				made relevant representations as defined in section 167(9)			is to be held
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16.	Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 3(2) or (3) of Schedule 8	No later than 5 working days before hearing	(1) the person who has made the application under paragraph 2(2) of Schedule 8 (2) each chief officer of police who has given notice under paragraph 3(2) or (3) of Schedule 8			No later than 2 working days before the day or on the first day on which the hearing is to be held
17.	Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 15(2) or (3) of Schedule 8	No later than 5 working days before hearing	(1) The club which has made the application under paragraph 14(2) of Schedule 8 (2) Each chief officer of police who has given notice under paragraph 15(2) or (3) of Schedule 8			No later than 2 working days before the day or the first day on which the hearing is to be held
18.	Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 25(2) of Schedule 8	No later than 5 working days before hearing	(1) The person who has made the application under section 117 to which paragraph 23(1) of Schedule 8 applies (2) The chief officer of police who has given notice under paragraph 25(2) of Schedule 8			No later than 2 working days before the day or the first day on which the hearing is to be held