

## SCHEDULES

### SCHEDULE 2

#### GRANT, RENEWAL, CANCELLATION AND TRANSFER OF LICENCES

##### *Appeal in England or Wales by applicant*

- 29 (1) Where on an application under this Schedule to a licensing authority in England or Wales the authority refuse to grant or renew a licence, or impose restrictions under paragraph 24 or paragraph 25 of this Schedule, the clerk to the licensing authority shall forthwith give notice of the decision of the authority to the applicant ; and, within fourteen days from the date of service of that notice, the applicant may, by notice to the clerk to the authority, appeal against the decision to a court of quarter sessions having jurisdiction in the authority's area.
- (2) As soon as practicable after receiving notice of appeal against a decision of the licensing authority, the clerk to the authority shall send the notice to the clerk of the peace together with a statement of the decision against which the appeal is brought and of the name and last-known residence or place of business of the appellant and of any person who opposed the application before the authority.
- (3) On receipt of the notice of appeal, the clerk of the peace shall enter the appeal and give in writing to the appellant, to the Board, to the appropriate officer of police, to the appropriate collector of duty, to any person who opposed the application before the authority and to the licensing authority not less than fourteen days' notice of the date, time and place appointed for the hearing of the appeal.
- (4) The court of quarter sessions may by its order allow or dismiss the appeal, or reverse or vary any part of the decision of the licensing authority, whether the appeal relates to that part of it or not, and may deal with the application as if it had been made to the court of quarter sessions in the first instance ; and the judgment of the court of quarter sessions on the appeal shall be final.
- (5) A justice shall not act in the hearing or determination of an appeal under this paragraph from any decision in which he took part.