

SCHEDULE 2

Regulation 13

REQUIREMENTS FOR NOTIFICATIONS TO APPLICANTS AND LICENCE-HOLDERS

1. In this Schedule “relevant action” means a refusal to grant or vary a licence, the imposition of any non-standard condition on the grant of a licence or the revocation of a licence.

2.—(1) Where the licensing authority expresses to any person any opinion as to what remedial action should be taken by that person, then, if that person so requests, the authority—

- (a) shall as soon as practicable give to him a written notice which satisfies the requirements of sub-paragraph (2) below; and
- (b) shall not take any relevant action against him until after the end of 28 days beginning with the giving of the notice.

(2) A notice satisfies the requirement of this sub-paragraph if it—

- (a) states the nature of the remedial action which in the opinion of the authority should be taken, and explains why and within what period;
- (b) in the case where the authority is of the opinion that a condition of a licence is not being complied with, explains what constitutes the failure to comply with that condition; and
- (c) states the nature of the relevant action which could be taken and states the effect of paragraph 3 below and of regulation 14 (appeals).

3. Before the licensing authority takes any relevant action against any person, the authority—

- (a) shall give to that person a written notice stating—
 - (i) that it is considering taking the action and the reasons why; and
 - (ii) that the person may, within a period specified in the notice, make written representations to the authority or, if the person so requests, make oral representations to the authority; and
- (b) shall consider any representations which are duly made and not withdrawn.

4. Where the licensing authority has taken relevant action against any person the authority shall, as soon as practicable, give to that person a written notice explaining the effect of regulation 14 (appeals).