

SCHEDULE

Amendments to the Licensing Act 1964

10. After section 81A insert the following section:

“Special hours certificates: exclusion of Sundays in case of disturbance etc.

81AA.—(1) At any time while there is in force for any premises or for part of any premises a special hours certificate which extends to Sundays, a person or authority mentioned in subsection (3) may apply to the licensing justices or, if it was granted under section 78 or 78ZA of this Act⁽¹⁾, to the magistrates' court, for the imposition of a limitation excluding Sundays on the following grounds.

(2) The grounds referred to are that such a limitation is desirable to avoid or reduce on Sundays—

(a) any disturbance of or annoyance to—

(i) persons living or working in the neighbourhood, or

(ii) customers or clients of any business in the neighbourhood; or

(b) the occurrence in the vicinity of the premises of disorderly conduct on the part of persons resorting to the premises or part of the premises.

(3) The persons and authorities referred to in subsection (1) are—

(a) a person falling within sub-paragraph (i) of subsection (2)(a);

(b) the chief officer of police; or

(c) a relevant local authority within the meaning of section 71(5) of this Act.

(4) If on an application under this section the licensing justices or, as the case may be, the magistrates' court are satisfied that the grounds of the application are made out, they shall attach a limitation to the special hours certificate which has the effect of excluding Sundays.”

(1) Section 78ZA was inserted by S.I.1996/977.