

SCHEDULE

Amendments to the Licensing Act 1964

3.—(1) Section 71 (order of licensing justices under section 70)(1) of the 1964 Act shall be amended as follows.

(2) After subsection (3) insert:

“(3A) In the case of an order under section 70 of this Act which would extend the permitted hours on a Sunday, subsections (3B) to (3D) apply.

(3B) Before making an application at a licensing sessions for such an order in respect of premises in Greater London, a person shall, not less than twenty-one days before the day of the licensing sessions, give to the relevant local authority notice in writing of the application.

(3C) In considering whether to make such an order the licensing justices shall take account of—

- (a) the special nature of Sunday, and
- (b) any guidance on that special nature issued by the Secretary of State.

(3D) Where the licensing justices make such an order with respect to any premises in spite of an objection from a relevant local authority which is based on the residential character of the area in which the premises are situated, they shall state their reasons for doing so.”

(3) After subsection (4) insert:

“(5) In this section “relevant local authority”—

- (a) if the premises are in England outside Greater London, means the district council;
- (b) if the premises are in Wales, means the county or county borough council;
- (c) if the premises are in the City of London, means the Common Council of the City of London; and
- (d) if the premises are in a London borough, means the council of that borough.”

(1) Section 71 was amended by section 4 of the Licensing Act 1988 (c. 17).