
STATUTORY INSTRUMENTS

2012 No. 955

The Licensing Act 2003 (Premises licences and club premises certificates) (Amendment) Regulations 2012

Citation and commencement

1. These Regulations may be cited as the Licensing Act 2003 (Premises licences and club premises certificates) (Amendment) Regulations 2012 and come into force on 25th April 2012.

Premises licences and club premises certificates: amendment to advertising and other requirements

2. The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005(1) are amended in accordance with regulations 3 to 11.

Interpretation

3. In regulation 2(1), in the definition of “representations”, for “an interested party or a responsible authority” substitute “a responsible authority or any other person”.

Representations

4. In regulation 22(1) for “An interested party or a responsible authority” substitute “A responsible authority or any other person”.

Advertisement of applications: applicant

5. Before regulation 25, for the heading substitute—

“Advertisement of applications by applicant”.

6. In regulation 26(4)(d) for “an interested party or responsible authority” substitute “a responsible authority or any other person”.

7. In regulation 26A(2)(b)(vii) for “an interested party” substitute “a person”.

Advertisement of applications: licensing authority

8. After regulation 26A, insert—

“Advertisement of applications by licensing authority

26B. In the case of an application for a premises licence under section 17, for a provisional statement under section 29, to vary a premises licence under section 34 (except where the only variation sought is the inclusion of the alternative licence condition), for

a club premises certificate under section 71 or to vary a club premises certificate under section 84, the relevant licensing authority shall advertise the application—

- (a) for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority;
- (b) by publication of a notice on its website containing the information set out in regulation 26C.

26C.—(1) In the case of an application for a premises licence or a club premises certificate, the notice referred to in regulation 26B shall contain a statement of the relevant licensable activities or relevant qualifying club activities as the case may require which it is proposed will be carried on on or from the premises.

(2) In the case of an application for a provisional statement, the notice referred to in regulation 26B—

- (a) shall state that representations are restricted after the issue of a provisional statement; and
- (b) where known, may state the relevant licensable activities which it is proposed will be carried on on or from the premises.

(3) In the case of an application to vary a premises licence or a club premises certificate, the notice referred to in regulation 26B shall briefly describe the proposed variation.

(4) In all cases, the notice referred to in regulation 26B shall state—

- (a) the name of the applicant or club;
- (b) the postal address of the premises or club premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises or club premises to be identified;
- (c) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;
- (d) the date by which a responsible authority or any other person may make representations to the relevant licensing authority;
- (e) that representations must be made in writing; and
- (f) that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.”.

Review of premises licence: representations

9. In regulations 37(b) and 39(b) for “interested parties and responsible authorities” substitute “responsible authorities and any other persons”.

Transfer of premises licence: form

10. For the form in Schedule 6 substitute the form in Schedule 1 to these Regulations.

Review of premises licence or club premises certificate: form

11. For the form in Schedule 8 substitute the form in Schedule 2 to these Regulations.

Home Office
24th March 2012

Lord Henley
Minister of State