

APPENDIX E

Section 51 – Licensing Act 2003

Application for review of premises licence.

- (1) Where a premises licence has effect, an interested party or a responsible authority may apply to the relevant licensing authority for a review of the licence.
- (2) Subsection (1) is subject to regulations under section 54 (form etc. of applications etc.).
- (3) The Secretary of State must by regulations under this section—
 - (a) require the applicant to give a notice containing details of the application to the holder of the premises licence and each responsible authority within such period as may be prescribed;
 - (b) require the authority to advertise the application and invite representations about it to be made to the authority by interested parties and responsible authorities;
 - (c) prescribe the period during which representations may be made by the holder of the premises licence, any responsible authority or any interested party;
 - (d) require any notice under paragraph (a) or advertisement under paragraph (b) to specify that period.
- (4) The relevant licensing authority may, at any time, reject any ground for review specified in an application under this section if it is satisfied—
 - (a) that the ground is not relevant to one or more of the licensing objectives, or
 - (b) in the case of an application made by a person other than a responsible authority, that—
 - (i) the ground is frivolous or vexatious, or
 - (ii) the ground is a repetition.
- (5) For this purpose a ground for review is a repetition if—
 - (a) it is identical or substantially similar to—
 - (i) a ground for review specified in an earlier application for review made in respect of the same premises licence and determined under section 52, or

- (ii) representations considered by the relevant licensing authority in accordance with section 18, before it determined the application for the premises licence under that section, or
 - (iii) representations which would have been so considered but for the fact that they were excluded representations by virtue of section 32, and
 - (b) a reasonable interval has not elapsed since that earlier application for review or the grant of the licence (as the case may be).
- (6) Where the authority rejects a ground for review under subsection (4)(b), it must notify the applicant of its decision and, if the ground was rejected because it was frivolous or vexatious, the authority must notify him of its reasons for making that decision.
- (7) The application is to be treated as rejected to the extent that any of the grounds for review are rejected under subsection (4). Accordingly the requirements imposed under subsection (3)(a) and (b) and by section 52 (so far as not already met) apply only to so much (if any) of the application as has not been rejected.]