

SCHEDULES

SCHEDULE 13

FUNCTIONS TRANSFERRED TO JUSTICES' CHIEF EXECUTIVES

*The Licensing Act
1964 (c. 26)*

- 36 The Licensing Act 1964 has effect subject to the following amendments.
37. In—
- (a) section 8A(2) (approval of prospective licensee),
 - (b) section 9A(2) (grant of interim authority), and
 - (c) section 19(1) and (2) (requirement for structural alterations),
- for “clerk” substitute “chief executive”.
- 38 (1) Section 20 (consent for alteration of premises) is amended as follows.
- (2) In subsection (2) (plans to be deposited with clerk), for “clerk” substitute “chief executive”.
- (3) In subsection (4) (notice of order forfeiting licence or directing restoration of premises)—
- (a) for “clerk of” substitute “justices' chief executive for”, and
 - (b) for “clerk to” (in each place) substitute “chief executive to”.
- 39 In section 20A(3) (revocation of justices' licences), for “clerk” substitute “chief executive”.
- 40 (1) Section 22 (procedural provisions as to appeals) is amended as follows.
- (2) In subsections (1) and (2) (notice to be given to clerk), for “clerk” substitute “chief executive”.
- (3) In subsection (4) (clerk to send notice of appeal to Crown Court), for “clerk to” substitute “chief executive to”.
- (4) In subsection (5) (recording by clerk of persons opposing grant), for “clerk” substitute “chief executive”.
- 41 In section 27(4)(c)(ii) (notice for renewal of licence given to clerk), for “clerk” substitute “chief executive”.
- 42 (1) Section 28 (clerk to licensing justices) is amended as follows.
- (2) In the heading and in the sidenote, after “clerk” insert “and chief executive”.
- (3) After subsection (4) insert—
- “(5) The justices' chief executive for a petty sessions area shall be chief executive to the licensing justices for the licensing district consisting of that area.”

Status: This is the original version (as it was originally enacted).

- 43 In section 30 (register of licences), in—
- (a) subsection (1) (clerk to keep register), and
 - (b) subsection (4) (certification of entry by clerk),
- for “clerk” substitute “chief executive”.
- 44 (1) Section 31 (matters to be entered in register) is amended as follows.
- (2) In subsection (1) (notice of conviction to be entered in register)—
- (a) for “clerk”, in the first place, substitute “chief executive”,
 - (b) for “clerk of” substitute “justices' chief executive for”,
 - (c) for “clerk”, in the third place, substitute “chief executive”, and
 - (d) for “that clerk” substitute “him”.
- (3) In subsection (2), for “clerk” substitute “chief executive”.
- 45 In section 32(1) and (2) (persons with interest in property to be registered), for “clerk” substitute “chief executive”.
- 46 In section 33 (notice of conviction of licence holder to be served on registered owner), in—
- (a) subsection (1) (clerk to serve notice), and
 - (b) subsection (2) (provisions about service) (in both places),
- for “clerk” substitute “chief executive”.
- 47 In section 34(3) (refusal of inspection of register), for “clerk” substitute “chief executive”.
- 48 In section 46(2) (notice to fire authority of application for registration certificate), for “clerk” substitute “chief executive”.
- 49 (1) Section 51 (register of clubs) is amended as follows.
- (2) In subsection (1) (clerk to keep register), for “clerk” substitute “chief executive”.
- (3) In subsection (2) (particulars to be registered), for “clerk” substitute “chief executive”.
- (4) In subsection (4) (notice of change of particulars), for “clerk” substitute “chief executive”.
50. In—
- (a) section 62(3) (permitted hours in clubs),
 - (b) section 75(2) and (3) (application for exemption order) (in each place),
 - (c) section 87A(5) (permitted hours in vineyard premises),
 - (d) sections 133(1) and 142(1) (restoration of suspended licence),
 - (e) sections 150(3) and (4)(a), 151(6), 153A(3) and 154(1)(b) (canteen licences),
 - (f) section 180(3) and (4) (occasional licences) (in each place), and
 - (g) section 199(c) (saving relating to theatres),
- for “clerk” substitute “chief executive”.
- 51 In Schedule 2 (applications for justices' licences), in—
- (a) paragraph 1(a) (notice to clerk),
 - (b) paragraph 3 (deposition of plan), and
 - (c) paragraph 6 (list of applicants),

- for “clerk” substitute “chief executive”.
- 52 (1) Schedule 6 (applications and complaints relating to registration certificates) is amended as follows.
- (2) In paragraphs 1(1) and (3) and 2 (procedure on making of application), for “clerk” substitute “chief executive”.
- (3) In paragraph 4 (copies of application)—
- (a) for “clerk to” substitute “chief executive to”,
 - (b) for “clerk is” substitute “chief executive is”, and
 - (c) for “clerk needs” substitute “chief executive needs”.
- (4) In paragraphs 6(1) and 7 (objections), for “clerk” substitute “chief executive”.
- 53 In Schedule 8A (procedure for making, varying or revoking restriction orders), in—
- (a) paragraph 1(1) (notice of application to licensing justices), and
 - (b) paragraph 4(2) (notice of application to magistrates' court),
- for “clerk” substitute “chief executive”.
- 54 In paragraph 7 of Schedule 11 (clerk to licensing planning committee)—
- (a) for “clerk”, in the first place, substitute “chief executive”, and
 - (b) for “districts, the clerk to the licensing justices”, substitute “districts for which there are different chief executives, the chief executive”.
- 55 In Schedule 12 (canteen licences), in paragraphs 1(1)(a) and 3, for “clerk” substitute “chief executive”.
- 56 In Schedule 12A (children’s certificates), in—
- (a) paragraphs 1(1) and 2(1) (applications), and
 - (b) paragraphs 7(3)(a) and 8(a) (duration),
- for “clerk” substitute “chief executive”.