

2014 No. 2341

LICENCES AND LICENSING

**The Licensing Act 2003 (Hearings) (Amendment)
Regulations 2014**

<i>Made</i>	- - - -	<i>1st September 2014</i>
<i>Laid before Parliament</i>		<i>5th September 2014</i>
<i>Coming into force</i>	- -	<i>1st October 2014</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 183, 193(a) and 197(2) of the Licensing Act 2003(b).

Citation and commencement

1. These Regulations may be cited as the Licensing Act 2003 (Hearings) (Amendment) Regulations 2014 and come into force on 1st October 2014.

Early morning alcohol restriction order: hearings

2.—(1) The Licensing Act 2003 (Hearings) Regulations 2005(c) are amended in accordance with paragraph (2).

(2) In regulation 34—

(a) in paragraph (2) after “subject to” for “paragraph (3)” substitute “paragraphs (3) and (4); and

(b) after paragraph (3) add—

“(4) Sub-paragraphs (b) and (c) of paragraph (2) do not apply to a notice given in relation to a hearing held under section 172B(1)(b) of the Licensing Act 2003.”.

Home Office
1st September 2014

Norman Baker
Minister of State

(a) See definition of “regulations”.

(b) 2003 c. 17.

(c) S.I. 2005/44, as amended by S.I. 2005/78, S.I. 2007/2502 and S.I. 2012/2551.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Licensing Act 2003 (Hearings) Regulations 2005 (“the 2005 Regulations”) to modify the requirements governing the procedures to be followed in relation to a hearing held by a licensing authority under section 172B(1)(b) of the Licensing Act 2003.

Regulation 34 of the 2005 Regulations provides that any notices required to be given under the 2005 Regulations must be given in writing but enables such notices to be given by electronic means provided that two conditions are met, namely that the person to whom the notice is given has agreed in advance that the notice may be given to them electronically and that the notice is subsequently given in writing.

Regulation 2 of these Regulations amends regulation 34 of the 2005 Regulations to the effect that the two conditions described in the preceding paragraph do not apply to a notice given by a licensing authority in relation to a hearing held under section 172B(1)(b) in respect of a proposal to make an early morning alcohol restriction order.

An impact assessment has not been prepared for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen.

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