



London Local Authorities Act 1996

1996 CHAPTER ix

PART IV

FIRE SAFETY AND ENTERTAINMENT LICENSING

20 Music and dancing, sports, boxing and wrestling licences

Schedule 12 to the London Government Act 1963 shall be amended as follows:—

- (1) In paragraph 1(4), “occasional music licence” shall be substituted by the words “occasional licence”.
- (2) For paragraph 2 there shall be substituted the following paragraph:—
 - “2 (1) An applicant for the grant, renewal or transfer of a licence under paragraph 1 or the variation of such a licence under paragraph 18 of this Schedule shall, not later than the day the application is made, send a copy of the application to the Commissioner of Police in whose area the premises are situated (in this Schedule referred to as “the Commissioner”) and to the London Fire and Civil Defence Authority (in this Schedule referred to as “the fire authority”) and, subject to sub-paragraph (2) below, no such application shall be considered by the Council unless the applicant complies with this sub-paragraph.
 - (2) Where an application for the grant, renewal, transfer or variation of a licence has been made and the applicant has failed to send a copy of the application in accordance with the requirement of sub-paragraph (1) above the Council may, in such cases as they think fit and after duly consulting with the party who was not supplied with a copy of the said application, waive such a requirement.
 - (3) In considering any such application the Council shall have regard to any observations submitted to them by the Commissioner and the fire authority within twenty-eight days of the making of the application and may have regard to any observation submitted by them thereafter.

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- (4) An applicant for any such grant, renewal, transfer or variation of a licence shall furnish such particulars and give such other notices, including the public advertisement of the application, as the Council may by regulation prescribe.
- (5) Save where a shorter period is agreed by the Council, an applicant for the grant of an occasional licence shall make such application not less than twenty-eight days in advance of the occasion for which the occasional licence is sought and shall send a copy of the application to the Commissioner and to the fire authority.
- (6) Regulations under sub-paragraph (4) above may prescribe the procedure for determining applications.”.
- (3) For paragraph 3B there shall be substituted the following paragraph:—
- “3B (1) An applicant for the grant, renewal or transfer of a licence under paragraph 3A or the variation of such a licence under paragraph 18 of this Schedule shall, not later than the day the application is made, send a copy of the application to the Commissioner and to the fire authority and, subject to sub-paragraph (2) below, no such application shall be considered by the Council unless the applicant complies with this sub-paragraph.
- (2) Where an application for the grant, renewal, transfer or variation of a licence has been made and the applicant has failed to send a copy of the application in accordance with the requirement of sub-paragraph (1) above the Council may, in such cases as they think fit and after duly consulting with the party who was not supplied with a copy of the said application, waive such a requirement.
- (3) In considering any such application the Council shall have regard to any observations submitted to them by the Commissioner and the fire authority within twenty-eight days of the making of the application and may have regard to any observation submitted by them thereafter.
- (4) An applicant for any such grant, renewal, transfer or variation of a licence shall furnish such particulars and give such other notices, including the public advertisement of the application, as the Council may by regulation prescribe.
- (5) Regulations under sub-paragraph (4) above may prescribe the procedure for determining applications.”.
- (4) For paragraph 5 there shall be substituted the following paragraph:—
- “5 (1) An applicant for the grant, renewal, transfer or variation of a licence under paragraph 4 or the variation of such a licence under paragraph 18 of this Schedule shall not later than the day the application is made send a copy of the application to the Commissioner and to the fire authority and, subject to sub-paragraph (2) below, no such application shall be considered by the Council unless the applicant complies with this sub-paragraph.
- (2) Where an application for the grant, renewal, transfer or variation of a licence has been made and the applicant has failed to send a copy of the application in accordance with the requirement of sub-paragraph (1) above the Council may, in such cases as they think fit and after duly

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consulting with the party who was not supplied with a copy of the said application, waive such a requirement.

- (3) In considering any such application the Council shall have regard to any observations submitted to them by the Commissioner and the fire authority within twenty-eight days of the making of the application and may have regard to any observation submitted by them thereafter.
- (4) An applicant for any such grant, renewal, transfer or variation of a licence shall furnish such particulars and give such other notices, including the public advertisement of the application, as the Council may by regulation prescribe.
- (5) Regulations under sub-paragraph (4) above may prescribe the procedure for determining applications.”.

21 Private places of entertainment

Section 3 of the Private Places of Entertainment (Licensing) Act 1967 shall apply to a borough as though—

- (a) in subsection (1), after “inspection of the premises” there were inserted “including securing entry and inspection by an authorised officer of the fire authority”; and
- (b) after subsection (4) the following subsections were inserted:—

“(5) The person making an application for any such grant, renewal, transfer or variation of a licence shall not later than the day the application is made send a copy of the application to the Commissioner of Police in whose area the premises are situated (in this section referred to as “the Commissioner”) and to the London Fire and Civil Defence Authority (in this section referred to as the “fire authority”) and, subject to subsection (6) below, no such application shall be considered by the licensing authority unless the applicant complies with this subsection.

- (6) Where an application for the grant, renewal, transfer or variation of a licence has been made and the applicant has failed to send a copy of the application in accordance with the requirement of sub-paragraph (1) above the Council may, in such cases as they think fit and after duly consulting with the party who was not supplied with a copy of the said application, waive such a requirement.
- (7) In considering any such application the licensing authority shall have regard to any observations submitted to them by the Commissioner and the fire authority within twenty-eight days of the making of the application and may have regard to any observation submitted by them thereafter.
- (8) An applicant for any such grant, renewal, transfer or variation of a licence shall furnish such particulars and give such other notices, including the public advertisement of the application, as the licensing authority may by regulation prescribe.
- (9) Regulations under subsection (8) above may prescribe the procedure for determining applications.”.

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22 Theatres

Schedule 1 to the Theatres Act 1968 shall apply in relation to applications for the grant, renewal, transfer or variation of licences in respect of premises within a borough as though the following paragraph were substituted for paragraph 2 of that Schedule:—

- “2 (1) An applicant for the grant, renewal, transfer or variation of a licence under this Act in respect of any premises shall not later than the day the application is made send a copy of the application to the Commissioner of Police in whose area the premises are situated (in this paragraph referred to as “the Commissioner”) and to the London Fire and Civil Defence Authority (in this paragraph referred to as “the fire authority”) and, subject to sub-paragraph (2) below, no such application shall be considered by the licensing authority unless the applicant complies with this sub-paragraph.
- (2) Where an application for any such grant, renewal, transfer or variation of a licence has been made and the applicant has failed to send a copy of the application in accordance with the requirement of sub-paragraph (1) above the licensing authority may, in such cases as they think fit and after duly consulting with the party who was not supplied with a copy of the said application, waive such a requirement.
- (3) In considering any such application the licensing authority shall have regard to any observations submitted to them by the Commissioner and the fire authority within twenty-eight days of the making of the application and may have regard to any observation submitted by them thereafter.
- (4) An applicant for any such grant, renewal, transfer or variation of a licence shall furnish such particulars and give such other notices, including the public advertisement of the application, as the licensing authority may by regulation prescribe.
- (5) Regulations under sub-paragraph (4) above may prescribe the procedure for determining applications.”.

23 Night cafes

Section 17 (1) (a) (Powers of entry) of the London Local Authorities Act 1990 shall be amended by the addition after “authorised officer” of the words “or officer of the fire authority, authorised by the fire authority in writing to act in relation to this Part of this Act”.