

SCHEDULES

SCHEDULE 1

LICENSING OF PLACES OF ENTERTAINMENT

Appeals

13.—(1) Any of the following persons, that is to say—

- (a) an applicant for the grant, renewal or transfer of an entertainments licence in respect of any place whose application is refused;
- (b) an applicant for the variation of the terms, conditions or restrictions on or subject to which any such licence is held whose application is refused;
- (c) a holder of any such licence who is aggrieved by any term, condition or restriction on or subject to which the licence is held; or
- (d) a holder of any such licence whose licence is revoked under paragraph 10(5) or suspended under paragraph 12(1),

may at any time before the expiration of the period of 21 days beginning with the relevant date appeal to the county court ^{F1}....

(2) In this paragraph “the relevant date” means the date on which the person in question is notified of the refusal of his application, the imposition of the term, condition or restriction by which he is aggrieved or the revocation or suspension of his licence, as the case may be.

(3) On an appeal to the county court under this paragraph the court may make such order as it thinks fit and the decision of the court shall be final.

(4) It shall be the duty of the council to give effect to an order of the county court.

(5) Where any entertainments licence is revoked under paragraph 10(5) or an application for the renewal of such a licence is refused, the licence shall be deemed to remain in force—

- (a) until the time for bringing an appeal under this paragraph has expired and, if such an appeal is duly brought, until the determination or abandonment of the appeal; and
- (b) where an appeal relating to the refusal of an application for such a renewal is successful until the licence is renewed by the council.

(6) Where—

- (a) the holder of an entertainments licence makes an application under paragraph 7; and
- (b) the council imposes any term, condition or restriction other than one specified in the application,

the licence shall be deemed to be free of it until the time for bringing an appeal under this paragraph has expired.

(7) Where an appeal is brought under this paragraph against the imposition of any such term, condition or restriction, the licence shall be deemed to be free of the term, condition or restriction until the determination or abandonment of the appeal.

Changes to legislation: *There are currently no known outstanding effects for the The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, Appeals. (See end of Document for details)*

F1 Words in Sch. 1 para. 13(1) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 93(1), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

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