SCHEDULES

SCHEDULE 1

APPLICATIONS FOR THE GRANT OF LICENCES

PART I

GRANT OF LICENCES

1. A person who intends to make an application for the grant of a licence shall—

(a) not more than 6 weeks nor less than 2 weeks before the time of the opening of the court sittings at which the application is to be made, cause notice of the application to be published at least once in 2 newspapers circulating in the vicinity of the premises for which the licence is to be sought;

(b) during the 3 weeks before that time, cause notice of the application to be displayed on or near the premises for which the licence is to be sought;

(c) not less than 3 weeks before that time, serve notice of the application upon the chief clerk and at the same time serve a copy of the notice upon—

(i) the sub-divisional commander of the police sub-division in which the premises are situated;

(ii) where the applicant resides in some other police sub-division, upon the sub-divisional commander of that sub-division;

(iii) the district council for the district in which the premises are situated.

2. The notices mentioned in paragraph 1 shall specify the kind of premises for which the licence is sought and the name of the owner of the premises and shall be in such form and, without prejudice to paragraph 3, shall contain such other information as may be prescribed by county court rules.

3.—(1) The applicant shall attach to—

(a) the notice mentioned in paragraph 1(c), and

(b) the copy of that notice which is served upon the sub-divisional commander of the police sub-division in which the premises are situated and upon the district council,

a plan of the premises for which the licence is sought.

(2) The plan mentioned in sub-paragraph (1) shall clearly delineate by appropriate colourings or markings and a legend or key thereto—

(a) except in the case of an hotel, the part or parts of the premises in which intoxicating liquor is to be sold;

(b) in the case of an hotel, any public or common part or parts of the premises in which intoxicating liquor is to be sold, any part of the hotel which is set apart for the service of main table meals or for the service of intoxicating liquor and other beverages to diners before or after such meals being clearly distinguished; and

(c) where the subsisting licence, if any, proposed to be surrendered under Article 8(2)(c)(ii) is for premises which are or are to be extended, used or demolished as mentioned in paragraph 2(a)(iv) to (vi) of Schedule 2, the extent of those premises.

4. A sub-divisional commander upon whom notice is required by paragraph 1 to be served, the district council mentioned in that paragraph or any person owning, or residing or carrying on business in, premises in the vicinity of the premises for which the licence is sought shall be entitled to appear at the hearing of the application and to object to the grant of the licence on any of the following grounds—

(a) that the applicant is not a fit person to hold a licence; or

(b) that the premises are not of the kind specified in the notice or are not suitable to be licensed for the sale of intoxicating liquor by retail; or

(c) where the premises are of a kind mentioned in Article 6(1)(a) or (b) and Article 8(3) or paragraph 6 of Schedule 3 does not apply, that the number of licensed premises of that kind in the vicinity of the premises for which the licence is sought is, or having regard to any licences provisionally granted under Article 10 or any sites approved under Article 11 will be, adequate.

5. Any person having an estate in the premises specified in any subsisting licence which is proposed to be surrendered under Article 8(2)(c)(ii) shall also be entitled to appear at the hearing of the application and to object to the surrender of that licence.

6. A person intending to object under paragraph 4 or 5 shall, not less than 1 week before the time mentioned in paragraph 1(a),—

(a) serve upon the applicant notice of his intention to object, briefly stating his grounds for so doing;

(b) serve a copy of the notice upon the chief clerk.