

SCHEDULES

SCHEDULE 7

Articles 30, 85.

APPLICATIONS FOR OCCASIONAL LICENCES

1. In this Schedule “licence” means an occasional licence.
2. A person who intends to make an application for the grant of a licence shall, not less than 2 weeks before the time when he wishes the application to be considered, serve notice of the application upon the clerk of petty sessions and at the same time serve a copy of the notice upon—
 - (a) the sub-divisional commander of the police sub-division in which the place or premises to which the application relates is or are situated; and
 - (b) the district council for the district in which the place or premises is or are situated.
3. Where a person owning, or residing or carrying on business in, premises in the vicinity of the place specified in an occasional licence has served upon the sub-divisional commander of the police sub-division in which that place is situated a caution stating that the cautioner wishes to be heard by the court on the next following, if any, application for an occasional licence in connection with a function to be held at that place the sub-divisional commander shall notify the cautioner of the application and of the time and place of the hearing.
4. The notice mentioned in paragraph 2 shall be in such form and shall contain such information as may be prescribed by magistrates' courts rules.
5. The sub-divisional commander mentioned in paragraph 2(a), the district council mentioned in paragraph 2(b) and any cautioner who has been given notice of the application under the provisions of paragraph 3, may appear at the hearing of the application and object to the granting of the licence on either of the following grounds—
 - (a) that functions held at the place or premises to which the application relates have been conducted so as to cause undue inconvenience to persons residing in the vicinity of that place or, as the case may be, those premises; or
 - (b) that terms and conditions imposed under Article 30(12)(c) in respect of a previous occasional licence in respect of that place or those premises were not complied with.
6. The court may consider the application, notwithstanding that the procedure set out in this Schedule has not been complied with if, having regard to the circumstances, it is reasonable to do so.