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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The Welfare of Racing Greyhounds Regulations 2010**

**PART 3**

**Suspension and revocation of a licence**

**Grounds for suspension**

**8.** A local authority may suspend a licence at any time on being satisfied that the licensing conditions have not been complied with.

**Procedure for suspension**

**9.** If a licence is suspended the local authority must notify the holder in writing without undue delay, by way of a notice of suspension in accordance with regulation 10 and, unless the local authority directs otherwise, the suspension has immediate effect, and continues in effect unless the licence is reinstated.

**Notice of suspension**

**10.** A notice of suspension must—

- (a) state the local authority's grounds for believing that the licensing conditions are not being complied with;
- (b) specify the measures that, in the local authority's opinion, the operator must take in order to secure compliance;
- (c) set out the right of appeal to a magistrates' court; and
- (d) set out the period within which such an appeal may be brought.

**Reinstatement of licence**

**11.—(1)** A local authority must reinstate a suspended licence by way of notice once it is satisfied that the licensing conditions have been or will be complied with.

(2) Where a licence is reinstated under paragraph (1) the period for which it is issued may be varied.

**Revocation of licence**

**12.—(1)** The local authority may revoke a licence that has been suspended for more than 28 days unless there is an outstanding appeal to the magistrates' court, and may publicise a revocation in such manner as the local authority sees fit.

(2) When a local authority revokes a licence it must notify the holder in writing and revocation takes effect from the time of notification.

(3) Where an operator is disqualified under any of the enactments listed in Regulation 5 their licence is automatically revoked when the time limit for any appeal expires or, if an appeal is made, when an appeal is refused.

### **Appeals**

**13.**—(1) Any person who is aggrieved by the refusal to grant or renew, or the decision to suspend or revoke a licence may appeal to a magistrates' court.

(2) The procedure on an appeal to a magistrates' court under paragraph (1) is by way of complaint, and the Magistrates' Courts Act 1980(1) applies to the proceedings.

(3) The period within which an appeal may be brought is 28 days beginning with the day following the date on which the decision is notified.

(4) A court may on application suspend a suspension or a revocation or, in the case of a refusal to renew a licence, permit an operator to continue to manage a track subject to the conditions in the Schedule, pending an appeal.

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(1) 1980 c. 43.