

*These notes refer to the Licensing Act 2003 (c.17)
which received Royal Assent on 10 July 2003*

LICENSING ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 4: Clubs

Section 88 – Determination of application for review and

Section 89 – Supplementary provision about review

151. Under the provisions of these sections the licensing authority must hold a hearing to consider and determine the application for a review and any relevant representations made in respect of it. Having regard to those matters, the authority must, if it considers it necessary for the promotion of the licensing objectives modify the conditions of the certificate or the activities which it covers, suspend the authority of the certificate for a period not exceeding 3 months or revoke the certificate. Otherwise the certificate will not be altered.
152. [Section 88](#) provides that for representations to be relevant they must relate to one or more of the licensing objectives and be made by the club, a responsible authority or an interested party. If made by an interested party, the authority must be satisfied that they are not frivolous or vexatious. If the authority considers that they are, it must inform the party making the representations of its decision. The authority must notify the applicant, the club, any person who made relevant representations and the police of its decision and its reasons.
153. A local authority that is both the relevant licensing authority and a responsible authority – for example, where it carries out the functions of the local environmental health authority – may apply for a review in its capacity as a responsible authority and determine that application.