



Licensing Act 2003

2003 CHAPTER 17

PART 5

PERMITTED TEMPORARY ACTIVITIES

Police objections

105 Counter notice following police objection

- (1) This section applies where an objection notice is given in respect of a temporary event notice.
- (2) The relevant licensing authority must—
 - (a) hold a hearing to consider the objection notice, unless the premises user, the chief officer of police who gave the objection notice and the authority agree that a hearing is unnecessary, and
 - (b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it necessary for the promotion of the crime prevention objective to do so.
- (3) The relevant licensing authority must—
 - (a) in a case where it decides not to give a counter notice under this section, give the premises user and the relevant chief officer of police notice of the decision, and
 - (b) in any other case—
 - (i) give the premises user the counter notice and a notice stating the reasons for its decision, and
 - (ii) give the relevant chief officer of police a copy of both of those notices.
- (4) A decision must be made under subsection (2)(b), and the requirements of subsection (3) must be met, at least 24 hours before the beginning of the event period specified in the temporary event notice.

Status: This is the original version (as it was originally enacted).

- (5) Where the premises are situated in the area of more than one licensing authority, the functions conferred on the relevant licensing authority by this section must be exercised by those authorities jointly.
- (6) This section does not apply—
 - (a) if the objection notice has been withdrawn (whether by virtue of section 106 or otherwise), or
 - (b) if the premises user has been given a counter notice under section 107.
- (7) In this section “objection notice” and “relevant chief officer of police” have the same meaning as in section 104.